

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION
HONORABLE ANDRÉ BIROTTE JR., U.S. DISTRICT JUDGE

THUNDER STUDIOS, INC.; RODRIC)
DAVID,)
)
PLAINTIFFS,)
)
vs.) No. CV 17-0871-AB
)
CHARIF KAZAL; TONY KAZAL;)
ADAM KAZAL; AND DOES 1 TO 100,)
INCLUSIVE,)
)
DEFENDANTS.)
_____)

REPORTER'S TRANSCRIPT OF PROCEEDINGS

MONDAY, DECEMBER 10, 2018

1:20 P.M.

LOS ANGELES, CALIFORNIA

Day 3 of Jury Trial, P.M. Session

CHIA MEI JUI, CSR 3287, CCRR, FCRR
FEDERAL OFFICIAL COURT REPORTER
350 WEST FIRST STREET, ROOM 4311
LOS ANGELES, CALIFORNIA 90012
cmjui.csr@gmail.com

1 APPEARANCES OF COUNSEL:

2 FOR THE PLAINTIFFS:

3 LAW OFFICES OF SETH W. WIENER
4 BY: SETH W. WIENER, ATTORNEY AT LAW
5 609 KARINA COURT
6 SAN RAMON, CALIFORNIA 94582
7 (925) 487-5607

8 -and-

9 SYVERSON, LESOWITZ & GEBELIN
10 BY: STEVEN GEBELIN, ATTORNEY AT LAW
11 8383 WILSHIRE BOULEVARD, SUITE 520
12 BEVERLY HILLS, CALIFORNIA 90211
13 (310) 341-3072

14 FOR THE DEFENDANTS:

15 THE TAYLOR LAW FIRM
16 BY: BENJAMIN TAYLOR, ATTORNEY AT LAW
17 AND DIANE BANI-ESRAILI, ATTORNEY AT LAW
18 1880 CENTURY PARK EAST, SUITE 714
19 LOS ANGELES, CALIFORNIA 90067
20 (310) 201-7600
21
22
23
24
25

I N D E XDECEMBER 10, 2018

DEFENDANTS ' WITNESSES	PAGE
---------------------------	------

MARK WOODWARD

DIRECT EXAMINATION BY MR. TAYLOR	5
----------------------------------	---

CROSS-EXAMINATION BY MR. WIENER	23
---------------------------------	----

REDIRECT EXAMINATION BY MR. TAYLOR	34
------------------------------------	----

ANTONELLO PARLATO

DIRECT EXAMINATION BY MR. TAYLOR	37
----------------------------------	----

CROSS-EXAMINATION BY MR. WIENER	45
---------------------------------	----

EXHIBITS

TRIAL EXHIBITS	MARKED	ADMITTED	NOT ADMIT
-------------------	--------	----------	-----------

14		13	
----	--	----	--

29		30	
----	--	----	--

1 LOS ANGELES, CALIFORNIA; MONDAY, DECEMBER 10, 2018

2 1:20 P.M.

3 - - -

4 (The following was heard in open court in the presence
5 of the jury:)

6 THE COURT: All right. Good afternoon, ladies and
7 gentlemen.

8 Mr. Taylor, you may call your next witness.

9 MR. TAYLOR: Thank you, Your Honor. The defense
10 calls Mark Woodward, who is just outside. I will go get
11 him.

12 THE COURT: All right. Great. Thank you.

13 MARK WOODWARD,

14 having been first duly sworn,

15 testified as follows:

16 THE CLERK: Do you solemnly swear that the
17 testimony you shall give in the cause now before this Court
18 shall be the truth, the whole truth, and nothing but the
19 truth, so help you God?

20 THE WITNESS: I do.

21 THE CLERK: Thank you. Please be seated. Please
22 state and spell your name for the record.

23 THE WITNESS: Mark Woodward. M-a-r-k,
24 W-o-o-d-w-a-r-d.

25 THE COURT: Thank you.

1 You may proceed.

2 MR. TAYLOR: Thank you, Your Honor.

3 DIRECT EXAMINATION

4 BY MR. TAYLOR:

5 Q Good afternoon, Mr. Woodward.

6 Are you appearing today pursuant to a subpoena
7 that was served by my office?

8 A Yes, sir.

9 Q Do you and I know each other?

10 A Just met you today for the first time.

11 Q Have we ever worked together at all?

12 A No, sir.

13 Q What is your profession, sir?

14 A I am a private investigator.

15 Q And where do you work?

16 A I am self-employed. I own International
17 Counterintelligence Services of California.

18 Q Is that sometimes abbreviated ICS?

19 A It is.

20 Q And where is that business located?

21 A We're in Anaheim.

22 Q Anaheim?

23 A Uh-huh.

24 THE COURT: Is that a "Yes"?

25 THE WITNESS: Yes.

1 MR. TAYLOR: If you could just speak up a drop so
2 we can all --

3 THE WITNESS: Okay. Sounds loud up here.

4 MR. TAYLOR: Right. Well, it's a big room.

5 Q And how long have you worked in this capacity as an
6 investigator?

7 A As a private investigator? I have been at this for
8 about 15 years.

9 Q And are you licensed by the state?

10 A I am.

11 Q Are you familiar with an individual named Jamie Brown?

12 A Yes.

13 Q How do you know that person?

14 A Jamie coordinated an investigation that I worked on a
15 couple years ago.

16 Q Did Mr. Brown engage your firm to conduct work here in
17 California?

18 A Yes.

19 Q Do you recall what he asked you to do?

20 A It was multi-faceted, but a lot of it involved some
21 surveillance. We had a van that we were using, things like
22 that.

23 Q And you said "some surveillance."

24 A Uh-huh, yes.

25 Q Could you elaborate on that. Surveillance of what?

1 A Well, there was a van that was deployed that was -- I
2 would say -- provocative, and so we had surveillance
3 investigators undercover, covert, who were watching to
4 monitor what's going on, to document what's going on, to
5 make sure nobody was getting out of line, everybody was
6 safe, things of that nature.

7 Q And were you paid for the services that --

8 A Yes.

9 Q How were you paid?

10 A Jamie paid with his credit card.

11 Q Are you familiar with an individual named Adam Kazal?

12 A I know the name, yes, sir.

13 Q How do you know that name?

14 A Through Jamie Brown.

15 Q Have you ever spoken to or otherwise interacted with an
16 individual named Tony Kazal?

17 A I wouldn't know him if he walked in the room.

18 Q How about an individual named Charif Kazal?

19 A I never heard that name before.

20 Q In the course of asking you to do these certain
21 activities you described in California, did Mr. Brown ask
22 you to do anything that you felt was illegal?

23 A No, he never asked me to do anything illegal.

24 Q Did Adam Kazal ever ask you to do anything illegal?

25 A No.

1 Q So it was your belief that whatever they were asking
2 you to do was lawful?

3 A Absolutely.

4 Q Did Mr. Brown ask you to have Mr. David followed around
5 town?

6 A Followed -- you mean -- let me clarify.

7 We conducted covert surveillance prior to any of
8 the provocative activity. That was to establish patterns
9 and stuff like that. It was completely covert.

10 As far as in the van, no, we weren't following him
11 in that thing, absolutely not.

12 Q Your office received a subpoena some months ago from
13 plaintiffs' counsel in this case; is that correct?

14 A We received a subpoena from Seth Wiener, Wiener. I
15 don't know.

16 Q Mr. Wiener.

17 And you were asked to produce documents related to
18 the allegations in this lawsuit, the activities you were
19 engaged --

20 A I'll be honest. I'm not familiar with the allegations
21 in the lawsuit, but he asked for some papers, and we
22 complied. Yes, sir.

23 Q Papers related to --

24 A To this case yes, sir.

25 Q And did you produce your file in that regard?

1 A Absolutely.

2 Q And did that include e-mails?

3 A I sent him everything I could find on this case --
4 videos, reports, I believe.

5 Q You should have an exhibit binder. I don't see it, but
6 it should be there. Yes, there it is.

7 If you could turn to Exhibit 5 -- they are
8 numbered with tabs at the right.

9 A Okay.

10 Q Have you seen this document before?

11 A This e-mail, yes, sir.

12 Q Can you tell us what it is.

13 A Yes. This is an e-mail that we typically send with our
14 personal service agreement. It was generated by
15 Victor Fuentes, who was my case analyst at the time who
16 works directly underneath me and with me, that he was
17 sending to -- it spells out the agreement of what we're
18 going to do and what they're going to pay us and what the
19 parameters are of that.

20 Q And who would this agreement have been with in this
21 case?

22 A This agreement was between ICS and Jamie Brown.

23 Q Okay. And how can you tell by looking at this
24 document?

25 A Well, you're going to need some clarification because,

1 initially, this document here stated Adam Kazal. We were
2 contacted by Jamie. We were working we knew -- I believe
3 Jamie was working with Adam. I -- honestly, I don't know.

4 And we initially started the contract. It was
5 with Adam Kazal, and then subsequent to that pretty much all
6 of our communication and directives came directly from
7 Jamie Brown, including the payment.

8 Q So is it your testimony that your office did not
9 communicate directly with Tony Kazal?

10 A Never, that I am aware of, no, and it's my office. So,
11 no.

12 Q And it says that you are cc'd on this e-mail.

13 Is that typical practice that you would be cc'd on
14 the e-mails with the client?

15 A For a service agreement, absolutely, absolutely.

16 Q It's your company; right?

17 A Yes.

18 Q And if you could turn within that same binder to
19 Exhibit 20.

20 THE COURT: Counsel, is this item in evidence?

21 MR. TAYLOR: I thought --

22 THE COURT: Exhibit 20?

23 MR. TAYLOR: I thought it was.

24 THE COURT: Okay. It is. Okay.

25

1 BY MR. TAYLOR:

2 Q Do you have the document there, sir?

3 A Yes, sir.

4 Q And what is this Exhibit 20 that we are looking at?

5 A This -- given the date, this would have been another
6 agreement. This investigation, it took some time, and so we
7 had to go and produce another service agreement for the next
8 segment of work.

9 So it's kind of what the first thing was, but it's
10 a continuation, as well. That stuff is finished. Now we're
11 doing this.

12 Q And you are cc'd on this e-mail; right?

13 A Yes.

14 Q And this e-mail looks like it was sent from Mr. Fuentes
15 to JRT Brown.

16 Is that Jamie Brown?

17 A That's Jamie Brown, yes, sir.

18 Q Who was the client on this agreement?

19 A Again, it was Jamie.

20 Q And how can you tell by looking at that?

21 A Point of contact is Jamie, and then the contact
22 information is Jamie's.

23 Q Do you see the reference in the middle of the page at
24 paragraph 1 to Tony Kazal/Jamie?

25 Do you see that?

1 A Yes, I do.

2 Q What's your understanding of why it says that there?

3 A That's just a mistake. I had no idea why Victor put
4 that in there. He didn't send it to Jamie. We didn't
5 e-mail it to Jamie -- or excuse me -- to Tony. Tony never
6 signed it. I don't know why his name is even there to be
7 honest with you.

8 Q That was going to be my next question to be clear.

9 This agreement was sent only to Mr. Brown;
10 correct, not to --

11 A Absolutely, yes.

12 Q Not to Tony Kazal.

13 A No.

14 Q You never had a signed agreement with Tony Kazal.

15 A No.

16 Q If you could please turn, sir, to Exhibit 14 in the
17 binder.

18 What is this document that we are looking at?

19 A You said Number 14?

20 Q Yes. It says "Invoice."

21 A Looking at the -- okay. I'm sorry. I didn't know what
22 you were talking about. I was on the wrong number.

23 This is an invoice that we generated from our
24 company for the work we did.

25 Q And do you know who this invoice would have been sent

1 to?

2 A This was e-mailed to -- it would have been Jamie.
3 Jamie made all the payments.

4 Q And page 2 of the document --

5 Well, actually, if I could, Your Honor, I would
6 like to move Exhibit 14 into evidence.

7 THE COURT: Any objection?

8 MR. WIENER: No objection, Your Honor.

9 THE COURT: Fourteen will be admitted.

10 (Trial Exhibit 14 was admitted into evidence.)

11 BY MR. TAYLOR:

12 Q Again, this is page 1. This is the actual invoice?

13 A Uh-huh.

14 Q And it says, "Bill to Adam Kazal"?

15 A Yes, sir.

16 Q And then page 2, what is this -- a page that we're
17 looking at?

18 A That is the paid receipt that's generated by our
19 merchant services whenever we collect.

20 Q So you get an e-mail receipt?

21 A Uh-huh, yes, sir.

22 Q It shows that payment was made?

23 A Yes, sir.

24 Q And who does it indicate the customer is on this
25 invoice?

1 A Adam Kazal.

2 Q Were you personally present for any protest activity
3 that was directed at Mr. Rodric David?

4 A I was there on one or two occasions, I believe, yes,
5 sir.

6 Q Where were you exactly?

7 A I would have been just standing in the street, I think,
8 probably by the video crew.

9 Q Was this in his neighborhood or near Thunder Studios?

10 A Both.

11 Q Did you observe people protesting at those locations?

12 A Yes, at both locations.

13 Q How would you describe the protest that you observed?

14 A The protestors --

15 Q What did you observe?

16 A They were just walking up and down the street with
17 signs.

18 Q And then you mentioned a van -- there was a van that
19 would circulate?

20 A Yes, sir.

21 Q What was written on the van?

22 A The van was a RAV. It had the name of -- is it
23 Mr. David? I always get confused of whether it's Rodric
24 David or David Rodric. I apologize -- with his name and
25 face on it.

1 Q Did you observe the protestors acting in an aggressive
2 manner in any way?

3 A No.

4 Q Did they make any threats that you observed?

5 A None that I saw.

6 Q I'd like to show you an excerpt from a video that was
7 produced by your office in response to the subpoena.

8 I believe it's part of Exhibit 44, Your Honor, and
9 I believe we already moved it into evidence.

10 THE COURT: All right. You may proceed.

11 MR. TAYLOR: Thank you, Your Honor.

12 (Exhibit played.)

13 BY MR. TAYLOR:

14 Q Do you recognize this video?

15 A Yes, sir.

16 Q Can you describe what it is.

17 A This is surveillance video from the studio. This was
18 covertly obtained.

19 Q And you produced it to Mr. Wiener in response to the
20 subpoena that he served?

21 A I believe we did, yes, sir. I provided a lot of stuff.
22 I assume so.

23 Q And have you seen it before?

24 A Yes.

25 Q Do you know who filmed this footage?

1 A Yes. Private investigator David Gomez.

2 Q He is with your office?

3 A We subcontracted with him. He is independently
4 licensed in California.

5 Q And how did you obtain this footage? Did he provide it
6 to you?

7 A Yes.

8 Q Can you describe what the video depicts?

9 A It looks to me like it's Mr. David arriving for work at
10 the studio.

11 Q Did Mr. -- was it Mr. Gomez, you said?

12 A Yes, sir.

13 Q Did -- is he a private investigator, by the day?

14 A Yes.

15 Q Licensed?

16 A He is licensed in California.

17 Q Did Mr. Gomez describe for you -- well, let me ask you
18 this: Did he have any discussion with you at the time of
19 the events, the video that we are looking at? Did he
20 discuss with you afterwards what he observed at the
21 Thunder Studios location?

22 A I'm not sure I'm clear on what you're asking.

23 Q Did he tell you what he saw there?

24 A These videos tell me what he saw. Did he give me a
25 briefing? I'm sure he did. I don't recall off the top of

1 my head what he may have said.

2 Q Do you recall what day it was that you were at the
3 studio? Was it October --

4 A That I was at the studio?

5 Q Yes.

6 A I don't recall which day. I don't believe it was the
7 26th. I don't believe David was working the day I was
8 there. David Gomez was the investigator.

9 Q When you were at the Thunder Studios location, did you
10 ever observe the police or sheriff's deputy interacting with
11 the protestors at all?

12 A Well, yes and no. I was there. The van was parked in
13 front of the studios. The protestors were there. Law
14 enforcement was called either by Mr. David or the studios
15 because a couple of law enforcement showed up. I believe
16 might have been one or two cars. They showed up.

17 I saw him and another unidentified woman from the
18 studio. They approached the police. They talked to them,
19 and being the owner of the company, I walked up and asked
20 the police if they needed anything, and he basically told me
21 to shoo. He says, "Go away. I don't need you."

22 And after he conversed a few moments with
23 Mr. David and the lady, police left, they went back in the
24 studio, and we just kept doing what we were doing.

25 Q And the protestors continued doing what they were

1 doing?

2 A Yes, they did.

3 Q When you were in the area of the neighborhood of
4 Mr. David's home, did you see the police there as well?

5 A We had a similar interaction. They showed up. They
6 talked to him and left. They didn't to anything to us. I
7 don't think they even spoke to us.

8 Q Did you observe any interaction with the police and the
9 protestors in the area of the neighborhood?

10 A I don't know if I did. I don't know if I did. I may
11 have left by that time.

12 Q If you observed, did the protest continue in the
13 neighborhood after the police left?

14 A Yes.

15 Q Now, I'd like to show you another brief video clip, if
16 I may.

17 I think it's part of Exhibit 7, Your Honor, which
18 I believe was already moved into evidence.

19 THE COURT: Yes. Go ahead.

20 MR. TAYLOR: Thank you, Your Honor. Just a
21 moment. This video is just about a minute long. I will
22 play the whole thing, if I could.

23 THE COURT: Go ahead.

24 MR. TAYLOR: Thank you.

25 (Exhibit played.)

1 BY MR. TAYLOR:

2 Q I will just pause it right there.

3 Does this frame that we're looking at depict the
4 scene that you observed when you were in the area of the
5 neighborhood?

6 A Yes, sir.

7 Q Those are the protestors that you saw there?

8 A Yes, they are.

9 Q That's the van that you were referring to?

10 A Yes, it is.

11 (Exhibit Played.)

12 BY MR. TAYLOR:

13 Q And in these clips, we're seeing the protestors
14 appearing to interact with passersby.

15 Did you have any observation of the protestors
16 interacting with people passing by?

17 A Yes, sir, several interactions like that.

18 Q Were they cordial interactions?

19 A Yes. The neighbors were curious, as you can imagine.
20 So they would ask them what's going on, and I was actually
21 standing in a position probably behind where this video was
22 taking place. So I wasn't privy to the actual
23 back-and-forth, but they were smiling and laughing, and none
24 of the neighbors yelled at us that I was aware of. They
25 just kept on going about walking their dog or whatever they

1 were doing.

2 Q Do you know who recorded the images in this video that
3 we're looking at?

4 A Yeah, this was recorded by Adam Hyatt. He is a
5 videographer, professional videographer. I couldn't do it
6 this well.

7 Q And did he provide this footage to your office?

8 A He did. He edited it. The music you hear, he put all
9 that in here. They did all of that. They produced the
10 whole thing.

11 Q Does this image that we're looking at depict the scene
12 that you observed when you were in the area of
13 Thunder Studios?

14 A Yes, sir.

15 Q And those are the protestors that you were describing?

16 A Yes, sir.

17 Q Is that the sheriff's deputy that you were referring to
18 earlier?

19 A Yes, sir. He's the one who shooed me away.

20 Q Is that the same van that was in the area of the
21 neighborhood?

22 A Yes, sir.

23 Q Did your office do anything to arrange for the
24 protestors to appear either in the neighborhood or outside
25 the --

1 A No. We had nothing to do with arranging that.

2 Q Do you know how that was arranged?

3 A My understanding is Jamie Brown arranged that.

4 Q At some point were you approached at your office by an
5 investigator on behalf of Mr. David?

6 A Yes, sir.

7 Q And was this after the protest activity?

8 A Yes.

9 Q Do you recall roughly when it was that this happened?

10 A I believe it was early December, probably a little --
11 about four-ish weeks of the protest, I guess.

12 Q December of 2016?

13 A Yes, sir.

14 Q Did he tell you what his purpose was in visiting you?

15 MR. WIENER: Objection. Calls for hearsay.

16 THE COURT: Sustained.

17 BY MR. TAYLOR:

18 Q Did this individual tell you what his name was?

19 MR. WIENER: Objection. Calls for hearsay.

20 THE COURT: Overruled.

21 THE WITNESS: Yes, he did.

22 BY MR. TAYLOR:

23 Q Do you recall the name?

24 A His name was Joshua Gardener, maybe, Joshua something.

25 Q And what did he tell you?

1 MR. WIENER: Objection. Calls for hearsay.

2 THE COURT: It does, Counsel. What's the
3 relevance of this?

4 MR. TAYLOR: Your Honor, may we be heard at
5 sidebar perhaps?

6 THE COURT: Quickly.

7 (The following proceedings were held at sidebar.)

8 THE COURT: Go ahead.

9 MR. TAYLOR: He's prepared to testify that he was
10 approached by an investigator on behalf of Mr. David who
11 threatened him and told him to back off --

12 THE REPORTER: Please speak into the mic.

13 MR. TAYLOR: Go back to the beginning?

14 THE COURT: Yes.

15 MR. TAYLOR: He was approached by an investigator
16 on behalf Mr. David who told him he would -- wanted him to
17 stop, he prepared to destroy him, he had unlimited
18 resources, he would bury him.

19 THE COURT: What's the relevance as relates to
20 this case?

21 MR. TAYLOR: Well --

22 THE COURT: Other than to just dirty the witness
23 up, which seems to be the theme of this trial?

24 MR. TAYLOR: I don't want to waste time with it,
25 then. So we'll try --

1 THE COURT: All right. The objection is
2 sustained.

3 MR. TAYLOR: Okay.

4 (The following was heard in open court in the presence
5 of the jury:)

6 MR. TAYLOR: Nothing further, Your Honor.

7 THE COURT: All right. Cross-examination.

8 MR. WIENER: Yes, Your Honor.

9 CROSS-EXAMINATION

10 BY MR. WIENER:

11 Q Good afternoon, Mr. Woodward. My name is Seth Wiener.
12 I'm the attorney for the plaintiffs Thunder Studios and
13 Rodric David.

14 Did you conduct surveillance on behalf of Rodric
15 David's wife, Elizabeth David?

16 A Not particular on the wife. We were watching the house
17 in general, and she was caught in several clips that I
18 understand, yes, sir.

19 Q All right. I'd like you to turn to Exhibit 28.

20 Are these photos that you took of Elizabeth David?

21 A Yes, sir, I believe they are still captures from video.

22 Q Why did you see fit to -- it's correct that you
23 forwarded these photos to Jamie Brown?

24 A I'm sorry?

25 Q Did you forward these photographs to Jamie Brown?

1 A Yes, sir.

2 Q Did you also put the statement they're not all
3 flattering?

4 A Yes, sir.

5 Q What was the purpose of that statement?

6 THE COURT: Counsel, let's move on. What's the
7 relevance of this?

8 MR. WIENER: Your Honor, the relevance -- if I can
9 be heard -- is that it demonstrates that this wasn't solely
10 surveillance; it was done in an effort to harass Mr. David.

11 THE COURT: All right. The objection is
12 sustained. Let's move on.

13 BY MR. WIENER:

14 Q How much did you charge in total for the surveillance
15 activities you performed?

16 A I don't know. Would you like me to ballpark it?

17 Q Ballpark estimate is fine.

18 A Fifteen, 20,000. I'm not sure in total for everything.

19 Q All right. Did you understand who is the client who is
20 ultimately behind the payments?

21 A Yes, I understood that Jamie was paying us directly
22 with funds he got from Adam.

23 Q All right. Do you know where Adam got those funds?

24 A Don't know.

25 Q Did you know that Adam was bankrupt at this time?

1 A Don't know, don't care.

2 Q Did you have any direct interactions with -- strike
3 that.

4 Were you aware that the results of your
5 investigation were being passed on to Tony Kazal by
6 Jamie Brown?

7 A I have no knowledge of that.

8 Q I would like for you to turn to Exhibit 20. All right.
9 And it's correct that this is the service agreement that
10 lists Tony Kazal as being the client, along with Jamie?

11 A Yes, sir.

12 Q And it's your testimony that you have no idea who
13 Tony Kazal was?

14 A No, I have never met him. I've never spoken to him.

15 Q All right. I would like you to turn to page 5 of 8 of
16 this document.

17 Did you -- were you copied on the e-mail dated
18 November 10th, 2016, at 2:30 P.M.?

19 A Yes.

20 Q It's an email from Jamie Brown to Victor Fuentes?

21 A Yes.

22 Q And does it say, "Thanks for the info"?

23 A It does.

24 Q Do you recall what information he is referring to?

25 A Right here sitting here, no.

1 Q Does it say, "I will pass to Tony"?

2 A It does say that.

3 Q And does Jamie Brown also ask, quote, "Let me know your
4 thoughts before I send info on to Tony"?

5 A He does.

6 Q Is it still your testimony that you don't have any idea
7 who Tony Kazal is?

8 A I mean, I know he is Adam's brother. I'm not an idiot.

9 Q Did you have any involvement with an entity called
10 Crowds On Demand, LLC?

11 A I'm sorry. Do I have a what?

12 Q Did you have any involvement in contracting with a
13 company called Crowds On Demand?

14 A Those are the protestors?

15 Q Correct.

16 A No.

17 Q Do you understand where the van was obtained that was
18 used in the protest?

19 A Absolutely.

20 Q Where was it obtained from?

21 A From a used car lot in L.A.

22 Q Did you purchase the van?

23 A I did.

24 Q Was it subsequently -- during what dates did you
25 perform services for the Kazals?

1 A October, November of 2016, I believe.

2 Q What became of the van?

3 A I sold it earlier this year, I believe, maybe six
4 months ago.

5 Q Did you buy the van with money you obtained from
6 Jamie Brown?

7 A Yeah, they gave me the money for the van. You bet.

8 Q Did you return the sales proceeds to Jamie Brown?

9 A No. Part of our agreement was when it was over, that
10 van was mine.

11 Q Who is responsible for putting the signage on the van?

12 A I had the wrap done. I have a friend who does wraps.
13 Had them do the artwork, put it on.

14 Q Who drove the van?

15 A Who drove the van?

16 Q Yes.

17 A Nester Gomez, my business partner, drove it for, I
18 believe -- I think he drove it for all the times it was out
19 there.

20 Q Did you have any direct correspondence with Adam Kazal?

21 A We had a couple of emails that I'm aware of.

22 Q All right. And were those in November of 2016?

23 A I would suspect so, yes, sir.

24 Q Did Adam Kazal send you an e-mail on November 7th,
25 2016, stating, quote --

1 (Reading:) Now this action has
2 started against me in Australia. Can you also
3 have the wrap guys print up stickers to cover
4 whatever my name is, care of Adam Kazal and
5 overstick with care of Tony Kazal?

6 A Yes, he asked me to do that.

7 Q Did you comply with that request?

8 A There was no need. His name and Tony's name were never
9 on the wrap.

10 Q Do you know why he made that request?

11 A I have no clue.

12 Q Did Adam Kazal also write to you in the same e-mail,
13 quote --

14 (Reading:) Rodric made the
15 complaint through his lawyers, Staying safe in
16 the USA. So to further screw with him,
17 overstick my name, then by Friday we should be
18 able to go back to my name, end quote?

19 A Yeah, it was my understanding he didn't want to create
20 any legal problems. That's why he wanted his name covered
21 up.

22 Q What did you understand Adam Kazal to mean by -- that
23 he wanted to screw with Mr. David?

24 A I mean, his entire operation was kind of designed to
25 provoke, don't you think?

1 Q Do you think it was designed to harass Mr. David?

2 A No.

3 Q What's the difference in your mind between provoking
4 and harassing?

5 A We didn't do anything illegal. Harassment is illegal.
6 It's a pretty clear line.

7 Q Were you aware that Adam Kazal was found in criminal
8 contempt?

9 A After the fact I did.

10 Q How did you learn that fact?

11 A Jamie Brown told me.

12 Q Did Adam Kazal also write you on November 7, 2016,
13 11:05 A.M., and write to you, quote --

14 (Reading:) So to be seen complying,
15 we just changed names. He will not expect
16 action in the U.S.

17 A I'm sorry. I didn't understand -- I didn't hear a
18 question.

19 Q Did he say that?

20 A Yes.

21 Q All right. Do you have any understanding why Adam
22 Kazal was seeking to provoke Mr. David?

23 A My understanding is limited. I can -- I understand
24 there was a business dispute, and the two guys were pretty
25 mad at each other, it seems like.

1 Q I'd like you to turn to Exhibit 29 in the binder.

2 A Yes, sir.

3 Q Did you draft this investigation report?

4 A I did.

5 Q What date did you draft this report?

6 A If it says February 22nd, that's probably the day I did
7 it.

8 MR. WIENER: Your Honor, I would like to move
9 Exhibits 28 and 29 into evidence.

10 THE COURT: I believe 28 is already in evidence
11 but 29, any objection?

12 MR. TAYLOR: No, Your Honor.

13 THE COURT: Twenty-nine will be admitted.

14 (Trial Exhibit 29 was admitted into evidence.).

15 BY MR. WIENER:

16 Q Is it correct that you are instructed to cease working
17 for or at the behest of Adam Kazal on November 8, 2016?

18 A Yes, sir.

19 Q Is it correct that, from that date forward, you had no
20 contact with Mr. Kazal either verbally or written?

21 A After this date?

22 Q Correct.

23 A In the case, the work we did, no, not until he
24 requested the letter.

25 Q All right. What date did he request the letter?

1 A It would have been within a day or so of this. I'm a
2 pretty proficient guy.

3 Q Do you know why he requested this letter?

4 A I don't think I can -- I don't think I can answer that
5 with any real knowledge.

6 Q Do you know if Adam Kazal wanted you to drive the van
7 to provide him with certain protection from the police?

8 A I don't understand your question, sir.

9 Q Did Adam Kazal ever state anything to the effect that
10 he wanted you to drive the van to provide certain protection
11 from the police?

12 A I don't know how the van will protect anyone from the
13 police. I'm sorry. I don't understand your question, sir.

14 Q All right.

15 A But he never asked me for protection of any kind.
16 Private investigators, typically, can't provide executive
17 protection in California. It's precluded.

18 Q Did you have any communications with a individual named
19 Adam Swart?

20 A Adam?

21 Q Swart?

22 A I don't believe I have ever heard that name.

23 Q Who do you understand carried out the protest at
24 Thunder Studios? Or do you have any --

25 A Who carried it out?

1 Q Right, in November 2016.

2 A Well, there were hired protestors. I don't know them.

3 Q So is it correct that you organized -- which protest
4 did ICS organize?

5 A We didn't organize any protest. We handled the van and
6 surveillance. We had nothing to do with those protestors
7 other than making sure the van was there, and they showed
8 up. And we videotaped it and documented it in the event
9 things got out of hand;

10 And to be honest, it was pretty boring stuff with
11 the exception of some of the employees at the studios coming
12 out and videotaping the protestors, kind of trying to get
13 back out of them. This is pretty boring and uneventful.

14 Q All right. And you have -- you mentioned at one point
15 the police shooed you from Thunder Studios; is that correct?

16 A No, he shooed me from the conversation. He was
17 speaking with Mr. David and another female about what was
18 going on, and I went up to see if they -- because my van was
19 there.

20 I'm the registered owner of the van. I'm not
21 hiding from anything. And so I went up and asked him, "Do
22 you need anything from me?"

23 And he goes "No. We don't need you. Go away."

24 In all honesty, he was pretty rude, but I went
25 away because who wants to talk to the police if you don't

1 have to? So I went away, and then he finished talking, and
2 then the police left, and we kept doing what we were doing.

3 I'm sorry if I wasn't clear on that.

4 Q Did Jamie Brown represent to you who the protestors
5 were?

6 A Did he represent who they were?

7 Q Right.

8 A I don't understand your question.

9 Q Do you have any knowledge where the protestors came
10 from?

11 A They're just -- I don't know, just some company around
12 L.A., I would assume. I mean, I spoke with them briefly the
13 things -- they just seemed to be, like, just normal people
14 out doing a job.

15 Q Did Jamie Brown tell you what his relationship was to
16 the Kazal brothers?

17 A My understanding was he was the investigator on the
18 other side of the globe because Jamie is from Australia.
19 That's was my understanding.

20 Q Did he explain why they didn't come here to coordinate
21 activities?

22 A No, he didn't explain that. I didn't ask.

23 MR. WIENER: Thank you. Nothing further.

24 THE COURT: Redirect.
25

1 REDIRECT EXAMINATION

2 BY MR. TAYLOR:

3 Q Thank you, Mr. Woodward.

4 Counsel asked you a question a few moments ago,
5 and he used the term "the Kazals."

6 I want to be very clear. Did you deal with the
7 Kazals, or was it your understanding you were only dealing
8 with Adam Kazal?

9 A Just the one, just Adam.

10 MR. TAYLOR: Okay. Nothing further, Your Honor.

11 THE COURT: All right.

12 Mr. Wiener.

13 MR. WIENER: Nothing further.

14 THE COURT: Sir, you may step down. Thank you for
15 coming in.

16 THE WITNESS: Thank you, Your Honor.

17 THE COURT: Mr. Taylor, do you want to call your
18 next witness, please.

19 MR. TAYLOR: Yes. Thank you, your Honor. The
20 defense would call Antonello Parlato, who, again, I
21 understand is outside.

22 THE COURT: All right.

23 MR. WIENER: Your Honor, I would like to make an
24 objection and discuss this briefly with the Court during a
25 sidebar.

1 THE COURT: All right. So why don't we do this:
2 Perhaps co-counsel can get the witness while we have the
3 sidebar.

4 (The following proceedings were held at sidebar.)

5 THE COURT: Yes, Counsel.

6 MR. WIENER: Parlato is a former disgruntled
7 employee of Thunder Studios. He's subject to a
8 confidentiality agreement, which precludes him from giving
9 the testimony today. I'm also not aware of any relevance
10 his testimony has to any issues. He takes -- photographs,
11 but beyond that I don't know if there is any proper
12 relevance.

13 THE COURT: Can you give me a proffer, briefly, as
14 it relates to this witness.

15 MR. TAYLOR: Certainly. He's -- as counsel
16 said -- indicated as being the photographer of all the
17 photos at issue. He's also featured in the video that we
18 have seen taking pictures and video outside.

19 I want to ask about that, and I want to ask about
20 the experience the day of the protest at Thunder Studios. I
21 want to ask him about Mr. David's reaction. I want to ask
22 him what Mr. David said about it at the time at the studio,
23 one witness about all that, Your Honor.

24 THE COURT: It seems relevant. I mean, if we're
25 talking about your client, whether or not he was -- I assume

1 trying to challenge whether he was fearful or upset -- more
2 specifically fearful as it relates to the stalking claim.
3 Another employee can testify to that. I don't think he's
4 going to testify to any state secrets from Thunder Studios,
5 I don't believe. I don't believe Mr. --

6 MR. TAYLOR: Nothing that --

7 THE COURT: -- Taylor will elicit it. But if he
8 can testify, I guess, as to what he observed, what the
9 reaction was within the company -- you went on at length
10 with your witnesses as it relates to, sort of, rightfully
11 so, to establish fear or concerns in the company. If they
12 have a witness that perhaps can rebut that, I'll allow it.

13 All right. Thank you.

14 MR. WIENER: Thank you, Your Honor.

15 THE COURT: Thank you.

16 MR. TAYLOR: Thank you, Your Honor.

17 (The following was heard in open court in the presence
18 of the jury:)

19 ANTONELLO PARLATO,
20 having been first duly sworn,
21 testified as follows:

22 THE CLERK: Do you solemnly swear that the
23 testimony you shall give in the cause now before this Court
24 shall be the truth, the whole truth, and nothing but the
25 truth, so help you God?

1 THE WITNESS: I yes, I do.

2 THE CLERK: Please state and spell your name for
3 the record.

4 THE WITNESS: Antonello Parlato,
5 A-n-t-o-n-e-l-l-o, last name P-a-r-l-a-t-o.

6 THE COURT: Thank you. You may proceed.

7 DIRECT EXAMINATION

8 BY MR. TAYLOR:

9 Q Good afternoon, Mr. Parlato.

10 You are appearing here today pursuant to a
11 subpoena that was served to you by my office; is that right?

12 A That's correct.

13 Q And do you and I know each other?

14 A No, we do not.

15 Q Have we ever met before today?

16 A No, we have not.

17 Q Do you know personally know any of the defendants in
18 this case?

19 A I do not personally, no.

20 Q What is your profession, sir?

21 A Film editor.

22 Q How long have you worked in the film industry?

23 A Past eight years now.

24 Q Are you familiar with the plaintiff in this case,
25 Mr. David?

1 A Yes, not too familiar but very -- pretty familiar.

2 Q You know who he is; right?

3 A Yeah, of course. He was my boss for 2 1/2 years.

4 Q Where was he your boss?

5 A I was employed by Thunder Studios from
6 February 5th, 2015, to about August 2017.

7 Q If you had a specific title, could you share with us
8 your job title.

9 A I was the in-house creative producer and film editor.
10 I mainly worked in the film -- sorry -- the marketing
11 department mostly handling the creation of marketing
12 materials for the organization's marketing Website and film
13 clients. I also assisted many times in the sales and
14 operation department as well.

15 Q And during that period, were you full time at
16 Thunder Studios?

17 A I was full time for the full 2 1/2 years I was employed
18 there, yes.

19 Q Did you physically work at their offices in Long Beach
20 at the studio?

21 A Yes, everyday, Monday through Friday and many times on
22 the weekends.

23 Q At some point in 2016, did you become aware of the
24 presence of any protestors outside the gates of the studio?

25 A Yes, I have.

1 Q How did the protestors come to your attention?

2 A Just regular day at work. I was requested to stop what
3 I was doing and take my camera and take photos and videos of
4 the protestors that were standing on the sidewalk outside
5 the fence of Thunder Studios.

6 Q Who requested that you do that?

7 A Rodric David and Matt Price.

8 Q So did you comply with that request?

9 A Yes, of course. I felt obligated as an employee there.
10 So I took the camera, and I went outside to film the
11 protestors on the other side of the fence for about 15 to 20
12 minutes.

13 Q If you recall how many pictures did you take?

14 A Quite a few. I'm not too certain because I don't have
15 access to that media. That's under -- that's
16 Thunder Studios's property, and it happened a little while
17 ago. So, I mean, at least 20 photos, video footage,
18 probably ten minutes' worth of footage.

19 Q When you were filming the protestors, how close were
20 you to them?

21 A I got pretty close. Didn't touch any of them or
22 anything. I just was literally probably five feet away, no
23 more than three or four feet at the closest.

24 Q And during the 15 minutes or so that you were outside
25 documenting the protestors, did you have any fear for your

1 personal safety?

2 A No, not at all. They were regular protesting
3 standards. They just stood on the sidewalk, you know. Cars
4 were coming in and out of the studio as normal. They just
5 stayed on the sidewalk and did their thing.

6 Q Did they seem dangerous or threatening to you in any
7 way?

8 A No, they were just holding up signs. That's it.

9 Q While you were outside among the protestors, did you
10 observe any of them trying to gain access to the
11 Thunder Studios property?

12 A No, not at all. They weren't trying to shake down the
13 fence or anything like that. They literally just stood on
14 the sidewalk outside the studio and were holding up their
15 signs.

16 Q I want to show you a very brief excerpt from a video
17 clip that's already been admitted into evidence in this
18 case.

19 If I may, Your Honor?

20 THE COURT: You may.

21 BY MR. TAYLOR:

22 Q Does the image appear on the screen in front of you,
23 sir?

24 A Yes, there is an image.

25 Q Is that a fairly accurate depiction of the scene that

1 you were just describing the protestors outside the gate of
2 Thunder Studios?

3 A Yeah, that's the exact image.

4 (Exhibit played.)

5 BY MR. TAYLOR:

6 Q And the gate that's pictured in the middle of the image
7 there, it says, "Thunder Studios" on it with a big "T" in
8 the circle --

9 A Yep.

10 Q Do you see that?

11 A Yes, I do.

12 Q Is that the gate that cars would have to drive through
13 to get into the studio?

14 A Yes, that is the main gate. There is another gate, but
15 that's the main gate, yes.

16 Q And then sort of to the left of that in the image we're
17 looking at, there's a little bit of a space next to an
18 orange cone.

19 Do you see that?

20 A Yes, I do see that.

21 Q Is that where a pedestrian would gain access to the
22 studio if he was coming to visit someone there on foot?

23 A Yeah, if they're not going to drive in and park by
24 getting through the security first, that's where they would
25 go if they were just walking. Usually that door is locked,

1 and you would need security access.

2 Q And it appears to be open in this picture.

3 Is that what it looks like to you?

4 A Yes, it does look like that.

5 Q There is a little structure right next to it with a
6 blue sign. Do you see that?

7 A The security shelter?

8 Q Is that what that is?

9 A Yeah, that's where the security guards mainly stay.

10 Q Okay. I am going to play and move the video along a
11 little bit here.

12 (Exhibit played.)

13 BY MR. TAYLOR:

14 Q Is that you at the left there?

15 A That is me.

16 Q Looks like you're a few feet away from the protestors.

17 Is that fair to say?

18 A That's correct.

19 Q Did you speak to the protestors at all while you were
20 outside?

21 A No. I don't recall, no, if they mumbled something at
22 me, but I don't remember saying anything back or -- no.

23 Q Did they shout or yell at you at in any way?

24 A No, not me personally.

25 Q Were they chanting?

1 A Yes, they were.

2 Q Is that you right there?

3 A Yes, that's me.

4 Q And this is an image of the 15 or so minutes that you
5 were outside taking pictures and video that day; right?

6 A That is correct.

7 Q Other than the conversation you described a few moments
8 ago where you were asked to stop what you were doing and go
9 outside and take some pictures and video, did you have other
10 interactions with Mr. David that same day?

11 A No. I mean, he went on to do his -- you know, after
12 that, went on to do his business, and it was a regular
13 workday.

14 Q So is it fair to say that he appeared to go on with his
15 routine that day?

16 A Yeah, everyone went down to the lobby, five minutes,
17 checked it out to see what was going on, and then everyone
18 else went back to their workday per usual.

19 Q But you observed -- did Mr. David seem to be in fear
20 for his safety from the presence of the protestors outside
21 the gates?

22 A No, he did not.

23 Q When is the last time you spoke with Mr. David?

24 A Back in May.

25 Q And did he call you?

1 A He did, yes.

2 Q What was the purpose of the call?

3 A Mr. David called me to, basically, touch base and
4 inform me about his current legal matters he has going on
5 with the Kazal family.

6 He requested that I stay out of his legal matters
7 and that, if any one tries to contact me regarding his legal
8 matters, it's best for me to not get involved, stay out of
9 it, don't answer any phone calls or e-mails.

10 MR. WIENER: Objection, Your Honor. Hearsay and
11 should be stricken.

12 THE COURT: A statement of the plaintiff.

13 Overruled.

14 BY MR. TAYLOR:

15 Q Did you ask him to clarify what he meant by that?

16 A Yes. He responded with, well, you know, I can do
17 whatever I want to, but it's in my best interest not to get
18 involved because I will have to spend time in court,
19 testify, do a lot of things I don't want to do.

20 Q So did you understand Mr. David to be telling you that
21 you shouldn't testify in this case?

22 A Sorry. Repeat that again.

23 Q I am asking you, sir, if you understood Mr. David to be
24 telling you that, if you were called upon to do so, you
25 should not testify in this case?

1 A Yeah, he requested for me not to testify.

2 Q Did you find that request strange?

3 A Yeah, I would say so.

4 MR. TAYLOR: Nothing further, Your Honor.

5 THE COURT: All right. Cross-examination.

6 CROSS-EXAMINATION

7 BY MR. WIENER:

8 Q Mr. Parlato, what was the real reason that Mr. David
9 contacted you at the end of May 2018?

10 A The real reason --

11 Q Correct?

12 A -- at the end of 2016 was he called me to inform me to
13 not be involved in any of his legal matters.

14 Q Was he -- did you send an e-mail to Thunder Studios
15 employees on May 26th, 2018, telling them to, quote, "Do
16 yourself a favor and get the fuck out of that toxic,
17 egotistical hell hole"?

18 A Yes, I did say that.

19 Q Did you also, on May 28, 2018, send an e-mail to
20 Rodric David demanding a referral kickback commission?

21 A Yes, I did.

22 Q Is it possible that that's what prompted Mr. David's
23 call to you?

24 A No, it's not correct.

25 Q Did you receive a cease and desist letter on or about

1 June 26th, 2018?

2 A Yes, I did.

3 Q Did it remind you of your confidentiality agreement
4 with Thunder Studios?

5 A I didn't read it in full detail, but I got a cease and
6 desist letter, yes.

7 Q All right. Did it ask that you refrain from further
8 contact with Thunder Studios employees?

9 A I didn't read the cease and desist in full detail, but
10 I haven't had contact since then.

11 Q Did you also tell Mr. David at one time that he was,
12 quote, "A lying coward and not a very good businessman"?

13 A Yes, I said that.

14 Q And did you also tell him that he was a clown running a
15 circus?

16 A Yeah, I said that.

17 Q Is it fair to say that you have a fair amount of
18 animosity toward Mr. David?

19 A Six months ago there was a situation where I sent
20 Mr. David a client who spent a significant amount of money,
21 and he treated that client very unprofessionally and poorly
22 and got into an argument with that client.

23 I spent over six months building a relationship
24 with that client. At the time I was upset, but I have
25 learned to not hold grudges, and what's in the past is in

1 the past, and now I have moved on with my future.

2 Q All right. So you are no longer demanding a, quote,
3 "referral kick back commission" from Mr. David?

4 A No.

5 Q And you've decided to take your revenge by your
6 testimony today?

7 MR. TAYLOR: Your Honor, argumentive.

8 THE WITNESS: No.

9 THE COURT: Overruled.

10 BY MR. WIENER:

11 Q Did any other employees at Thunder Studios ever also
12 tell you not to contact them?

13 A One.

14 Q Was that Jacqueline Carroll?

15 A Yes.

16 Q Why did she ask you not to contact her?

17 A Feels obligated to.

18 MR. WIENER: Nothing further, Your Honor.

19 THE COURT: All right.

20 Mr. Taylor.

21 MR. TAYLOR: We have nothing further, Your Honor.

22 THE COURT: All right. May this witness be
23 excused?

24 MR. TAYLOR: He may.

25 MR. WIENER: Yes, Your Honor.

1 THE COURT: Thank you, sir. You may step down.

2 All right, Mr. Taylor. You may call your next
3 witness.

4 MR. TAYLOR: We have no further witnesses at this
5 time.

6 THE COURT: All right. So does the defense rest?

7 MR. TAYLOR: We do, Your Honor.

8 THE COURT: Does the plaintiff wish to call any
9 rebuttal witnesses?

10 MR. WIENER: No, Your Honor.

11 THE COURT: All right. So ladies and gentlemen,
12 why don't we take a break. The end is near, so to speak, so
13 it may be a little while because I need to go over some
14 matters with them. So let's take a 20-minute break. Let's
15 have you come back at 2:45.

16 So, again, please do not form or express any
17 opinion about the case until the matter is finally submitted
18 to you. Don't talk about the case. Don't allow anyone to
19 talk to you about the case. And do not conduct any research
20 of any kind on any subject matter connected with this case.

21 So we'll see you back at 2:45 please. Thank you.

22 THE CLERK: All rise for the jury.

23 Please be seated.

24 (The following was heard in open court outside the
25 presence of the jury:)

1 THE COURT: All right. So couple matters. I am
2 going to have my law clerks start printing out the closing
3 jury instructions. I will, once I get agreement of the
4 parties as it relates to the jury instructions and the
5 verdict form, we'll instruct the jurors, and then you guys
6 will begin your closing argument.

7 With respect to the verdict form, we're working on
8 it. We'll give you a proposed draft of what we think makes
9 sense. I think there was some dispute about whether or not
10 the jurors should be asked questions about punitive damages.

11 What I do here is I ask the first question of
12 whether the acts were done with malice, et cetera. If the
13 answer is yes, then we'll proceed on to the punitive damages
14 phase, and you will argue that portion of it, and then
15 they'll go back and deliberate as to the second phase.

16 Mr. Taylor, did you have anything further that you
17 wish to state with respect to your Rule 50(a) motion?

18 MR. TAYLOR: Yes, a couple of comments if I may.

19 THE COURT: All right.

20 MR. TAYLOR: Just with respect to the argument
21 that counsel made about the First Amendment. Obviously, we
22 didn't brief these issues in advance of today, and, during
23 the lunch break, I didn't have time to read all the
24 authorities that counsel mentioned but --

25 THE COURT: I had a chance to read at least the

1 two cases, the Supreme Court case and the Ninth Circuit
2 case. I don't think they apply here. I mean, in one
3 case -- let me double-check. I just want to pull it up
4 again. I think it was *U.S. v. Verdugo-Urquidez*, 110 S.Ct.
5 1056. It's a 1990 case with Justice Rehnquist filing the
6 opinion.

7 But in that case, you're talking about American
8 law enforcement searching the residence of a Mexican
9 national in Mexico. That's what strikes me as far different
10 than what we have in this case.

11 The other case, *Orozco-Santillan*, although I don't
12 know if it's on point necessarily for what Mr. Wiener
13 pointed out, it does say something that I think doesn't bode
14 well for the defense as it relates to the 50(a) motion, the
15 "alleged threat should be considered in light of their
16 entire factual context, including the surrounding events and
17 the reactions of the listener."

18 So I know you -- both sides are doing what you are
19 expected to do -- focusing on the important parts of your
20 case in their isolation.

21 But in fairness, as it relates to this claim, it
22 looks like, when you're talking about threats, I think
23 you're supposed to consider it in its entire context, and so
24 I leave it at that.

25 But go ahead, Mr. Taylor.

1 MR. TAYLOR: I was just going to say, Your Honor,
2 having not had a chance, of course, to read all these cases,
3 it seems to me, from what counsel described, that the
4 conduct of people who are physically here in the
5 United States has to be entitled to First Amendment
6 protection even if someone outside of the country is behind
7 part of the activity.

8 It can't be that activity that takes place here by
9 people who are, without any indication to the contrary, U.S.
10 citizens is not entitled to First Amendment protection. And
11 the statute 1708.7 is clear that the pattern can't include
12 constitutionally protected activity, and also the statute
13 says that the purpose of the statute is not intended to
14 freeze or -- the word is escaping me -- but to limit or to
15 repress constitutionally protected speech. So I would just
16 point that out as well.

17 With respect to the -- sorry. Just a moment,
18 Your Honor.

19 THE COURT: Take your time.

20 MR. TAYLOR: Oh, that's right.

21 With respect to the copyright infringement claim
22 as it relates to, for example, defendant Adam Kazal, he put
23 "kazalfamilystory.com" on the banners.

24 I think it's a bit of a stretch to say that, if I
25 put a Website on the side of my car or on a sign or if I

1 direct people to it in some way, then I'm, therefore,
2 responsible for anything that's on the site, that I am
3 liable for any copyright infringement that's on the side of
4 me -- I can write the words "Coca-Cola.com" on the side of
5 my car and drive around L.A., and if Coca-Cola.com has a
6 picture on there that's not theirs and they infringed
7 someone's copyright theory, I'm not liable for that. I
8 wouldn't know about that. So that's --

9 THE COURT: I get that. But look -- maybe I will
10 regret doing this, but let's just be honest here. That's
11 not what this case is about.

12 This case is, when you look at the entirety of the
13 scenario, it's two individuals that have gone at each other
14 like pit bulls in a pen, and they're just going for it. I
15 mean, so it's not a function of one person putting a
16 Website -- his or her name on a banner and, therefore, being
17 attributable for everything on it.

18 The plaintiffs' theory is all of the brothers were
19 in on this together. I'm not placing judgment on that. I'm
20 just saying that's the theory. The jury will decide if
21 that's accurate or not, but I don't think it's enough to
22 say -- I don't think you can say, well, the name on there
23 alone doesn't make that person liable for anything and
24 everything on the Website. That's somewhat in a vacuum.

25 MR. TAYLOR: That's true, Your Honor. I'm giving

1 an extreme example because I am trying to point out,
2 Your Honor, that plaintiffs' theory is not supported by any
3 evidence here.

4 They're related -- obviously, Adam had no problem
5 with what Charif was writing on the Website, but that
6 doesn't make him responsible for it as long as there was no
7 evidence presented at all that Adam had anything to do with
8 the Website. So that's what I am trying to point out,
9 Your Honor.

10 THE COURT: Okay. All right. Well, anything
11 further?

12 MR. TAYLOR: Not at the moment, Your Honor. Thank
13 you.

14 THE COURT: All right. Well, look. I've heard
15 and considered the arguments on both sides. I think at this
16 juncture I'm going to deny the motion. I think there's just
17 enough factual disputes as it relates to the copyright claim
18 and the stalking claim, although both really are on the
19 margins. It's enough to let the wonderful eight individuals
20 seated in the jury box make that ultimate decision.

21 So why don't we take a ten-minute recess at this
22 time. I am having the jury instructions printed out. Once
23 they are printed out, I would ask you to come back.

24 My courtroom deputy will give you the
25 instructions, give you some time to look at them. We can

1 fight about the instructions and the verdict form, and then,
2 once we get that nailed down, I will instruct the jurors,
3 and then each side will make their arguments. All right?
4 So let's take a recess. Thank you.

5 THE CLERK: All rise. This Court is in recess.

6 (Recess taken 2:31 PM to 3:07 PM)

7 THE COURT: All right. So I provided for you all
8 a copy of the proposed jury instructions, closing jury
9 instructions, special verdict form, and special verdict form
10 for punitive damages if we get to that phase.

11 Have the parties had a chance to review the
12 documents, Mr. Wiener?

13 MR. WIENER: Yes, Your Honor. Plaintiffs have no
14 objections to either the verdict forms or to the closing
15 jury instructions.

16 THE COURT: All right. Mr. Taylor.

17 MR. TAYLOR: Yes, Your Honor. We just have a few
18 questions or points of clarification I think we need to
19 address.

20 THE COURT: All right. Go ahead. Let's do that,
21 then, please.

22 MR. TAYLOR: Thank you, Your Honor. With respect
23 to the special verdict form?

24 THE COURT: Just the first special verdict form.
25 Okay.

1 MR. TAYLOR: Yes. And I realize that our verdict
2 form had a similar chart. I didn't put it side by side, but
3 just now that testimony is concluded and I'm looking at it,
4 I'm concerned that the headings at the top could be
5 confusing if the jury just uses this page. And I realize
6 the form includes the questions spelled out more clearly on
7 the previous page. But the use, for example, in Column 2 of
8 willful/ignorance --

9 THE COURT: All right.

10 MR. TAYLOR: -- I'm concerned that there may be
11 confusion about that wording or that usage of the slash.
12 The column eight doesn't have a question mark; so I am
13 thinking that that should probably be amended as well to
14 avoid confusion. But I am just concerned that the jury
15 could look at that and think that those are the two options
16 that it must choose from, and that's not necessarily the
17 case if they find no liability in the first place.

18 THE COURT: Okay. So, then, what do you propose
19 in light of the fact that this was the joint document that
20 was submitted? And just so the record is clear, I raised a
21 lot questions about this chart. I asked you to all meet and
22 confer. You all weren't able to do so. So I said, okay.
23 If the parties want this, then so be it.

24 And so you are now asking for a change, fine. But
25 you are not just going to be able to throw this on my lap

1 and tell me to go back in chambers and figure this out.

2 MR. TAYLOR: No. What I'm suggesting is that
3 perhaps -- and I know the Court will go through this and
4 explain it. Perhaps it could be just made very clear what
5 the columns --

6 THE COURT: Well, to be clear, I'm only going to
7 explain it to the extent it's explained in these jury
8 instructions. So I'm not going -- there is no extra
9 tutorial for the verdict form. I am just concerned your
10 comments -- and I know that I will make this clear.

11 They're going to get the instruction, they're
12 going to get this verdict form, and then they have to
13 deliberate.

14 So it sounds like you think I was going to do
15 something more. I do not intend to. I don't believe I am
16 authorized to. I'm supposed to give them the instructions
17 and their verdict form.

18 MR. TAYLOR: No, I understand, Your Honor. I
19 guess with respect to the eighth column, there really should
20 be a question mark there. It's going to be --

21 THE COURT: That's fine. We can make that change.
22 But you raised an earlier concern about Charif, willful,
23 ignorant -- again, I share your concern. I'm not sure how
24 the jury is supposed to understand what that means. Are
25 they picking one or the other?

1 Now, the questions before asked, for example,
2 Question Number 5 or Number 2, whether Charif Kazal
3 committed copyright infringement willfully or out of
4 ignorance/by accident. That's the question that you all
5 framed.

6 MR. TAYLOR: Right. And that question, as it's
7 worded here, makes sense to me if they've answered
8 Question 1 in the affirmative.

9 And I suppose, now that I think about it further,
10 that if they understand to look at this in conjunction with
11 the preceding page, because it does say chart follows, it
12 should be clear. I guess I just want to bring that --

13 THE COURT: You want to be a lawyer and dot your
14 i's and cross your t's. I respect that.

15 MR. TAYLOR: I appreciate that. Thank you.

16 THE COURT: All right. Any other objections you
17 have?

18 MR. TAYLOR: Not to this form, no.

19 THE COURT: Okay. What about with respect to the
20 instructions?

21 MR. TAYLOR: Yes. With respect to the
22 instructions, on the -- let's see -- page -- with respect to
23 the instructions on page 41 of the statute of limitations --

24 THE COURT: Forty-one. Yes.

25 MR. TAYLOR: So I read it twice to make sure I

1 wasn't mistaken. I think there is a mistake here. It says,
2 "Defendants claim that plaintiffs'" --

3 THE COURT: What line, just so we're --

4 MR. TAYLOR: Oh, I'm sorry. Line 14.

5 THE COURT: Line 14.

6 MR. TAYLOR: "Defendants claim" --

7 THE COURT: All right.

8 MR. TAYLOR: "plaintiffs' claims based on
9 publication of certain photographs on Kazalfamilystory.com
10 are barred because Thunder Studios knew or should have known
11 by February 2nd, 2017, that the photographs appear on the
12 Website" -- I think that should be 2014.

13 THE COURT: I think you are correct. Okay. All
14 right.

15 MR. TAYLOR: One other issue I wanted to raise
16 with respect to the instructions -- and, again, I know this
17 is the draft joint instruction we submitted with respect to
18 stalking. It's Instruction 14 --

19 THE COURT: All right.

20 MR. TAYLOR: -- on page 17.

21 As the Court knows by now from having probably
22 reviewed the statutes, it's a very long statute --
23 170.7 [sic], and there's a lot in there --

24 THE REPORTER: Pardon me?

25 MR. TAYLOR: I'm sorry.

1 It's a very long statute, and there's a lot in
2 there, and I think perhaps we didn't include initially
3 because it seems like a question of law, but I wonder if
4 there shouldn't be anything in here about constitutionally
5 protected activity being part of the pattern.

6 THE COURT: Let's see. I don't know if I have a
7 copy of 1708. I am just trying to pull the full version of
8 1708. Just bear with me, please.

9 So what would you propose, then? I guess -- I
10 don't know if it is an instruction, so to speak,
11 particularly in light -- well, what would you propose? Let
12 me just leave it at that.

13 MR. TAYLOR: Well, I mean, I guess the concern
14 that we had, I think, was trading a hopelessly long and
15 confusing instruction which mimics all of the language of
16 the statute which defines ten different terms; but, I mean,
17 with respect to the definition of pattern of conduct, I
18 think it might be hard for the jury to reach a proper
19 conclusion on what that means without having the term
20 "pattern of conduct" defined. And the term is defined in
21 (b)(1), what is the pattern. "What is the pattern of
22 conduct" --

23 THE COURT: I see it here, and it says
24 "Constitutionally protected activity is not included within
25 the meaning of pattern of conduct."

1 Is that what you are referring to?

2 MR. TAYLOR: That's what I am talking about. I
3 mean, we could include in this instruction every single
4 definition, and I think it would be unwieldy. But I
5 think --

6 THE COURT: But then --

7 MR. TAYLOR: -- stalking is a pattern of conduct.
8 So if the jury can't be informed in advance what is by
9 definition of pattern of conduct under the statute, I don't
10 know how they reach the right -- reach the right conclusion.

11 THE COURT: So are you proposing add some language
12 that says, "Pattern of conduct means conduct" -- just
13 include (b)(1) verbatim?

14 MR. TAYLOR: I mean, I think -- I mean, I think
15 that would make sense. I think it could even be done at the
16 bottom after the elements are laid out: For purposes of
17 this claim, the term "pattern of conduct" means X.

18 THE COURT: And so, then, what happens when -- I
19 assume you want this because you're going to try to argue to
20 the jury that it's somehow constitutionally protected
21 activity?

22 MR. TAYLOR: Well, that's my -- that would be my
23 intention if that's something that a jury can determine.

24 THE COURT: That's why I ask. Because then what
25 happens when the jury asks the question what is

1 constitutionally protected activity?

2 MR. TAYLOR: That's why I initially thought maybe
3 it's actually just a legal question for the Court.

4 THE COURT: Right. I think it is. But, I mean --
5 so I'm raising all this to say, look. I think your point is
6 well taken that the jury has no idea what "pattern of
7 conduct" means, but we have to recognize that, if we go the
8 route of adding that language to the end of the instruction,
9 do we then also have to add language that also defines what
10 "credible threat" is, as well, or any other definitions, and
11 then do we run the risk of inviting a question about what is
12 constitutionally protected activity? Again, I'm throwing
13 this out more for discussion than anything.

14 MR. TAYLOR: I mean, I don't know the answer to
15 that, Your Honor, and I -- I've actually not come across
16 this exact issue before. It's a lot easier when it's
17 contract, breach, perform -- damages, you know. This is a
18 lot more complicated, and I don't know how the Court would
19 normally want to handle a situation where you have a
20 Civil Code section with four, five, six definitions of
21 defined terms that could overwhelm a jury looking at one
22 instruction.

23 But I have to raise the issue because I am
24 thinking about it now that we've had a chance to hear all
25 the evidence, and I am concerned that, reading this

1 instruction, the jury won't be armed with the statutory
2 definitions that the code includes.

3 THE COURT: All right. Let's hear from the person
4 who brought the case.

5 So Mr. Wiener.

6 MR. TAYLOR: I do have one other point unrelated
7 afterwards. Thank you, Your Honor.

8 THE COURT: All right.

9 MR. WIENER: Your Honor, we agree to the slight
10 revision to the verdict form and to the correction of the
11 date on the statute of limitations.

12 Closing Instruction Number 14 --

13 THE COURT: I missed your point there. The
14 correction of the date?

15 MR. WIENER: On the statute of limitations from
16 the defense. I believe it's 35.

17 Closing Instruction Number 14 is taken directly
18 from the statute. I would submit simply not the duty of the
19 Court to rewrite a jury instruction that's taken directly
20 from the statute.

21 THE COURT: Where did this instruction come from?

22 MR. WIENER: This was almost verbatim, the text
23 is -- I believe it is verbatim the text is Civil Code
24 1708.7.

25 THE COURT: Right. And so but do you -- if it is,

1 in fact, the text, it doesn't include the definition. So
2 it's not the entire text of the statute.

3 I guess I am confused because I am looking at (1),
4 (2), (A) and (B) and it goes on, but you stop at where it
5 says "For purposes of this section," and then it defines
6 what arguably could be the key terms of the statute.

7 First, pattern of conduct; second, credible
8 threat; third, electronic communication device; four,
9 follows; five, harass; sixth, place under surveillance. It
10 goes on and on.

11 I mean, on the one hand, you say that you have
12 taken it directly from the statute. You have taken it
13 verbatim but not from the entirety of the statutory.

14 MR. WIENER: We picked the elements that need to
15 be proven to the extent there's -- but I would argue that
16 the element of constitutionally protected activity is not
17 part of the statute and is subsumed in subparagraph (3)
18 of the -- subparagraph 3(A) where it talks about a credible
19 threat. It places the plaintiff in reasonable fear for his
20 safety. That is the equivalent of the true threat that is
21 not constitutionally protected.

22 THE COURT: What about pattern of conduct? How is
23 that defined? Or how should this jury know what that means?

24 MR. WIENER: I'm not sure if 1708.7 provides a
25 separate definition, but subsection (1) says, a pattern of

1 conduct is conduct whose intent is to follow, alarm, place
2 under surveillance, or harass the plaintiff.

3 I'm not sure if that's the -- I don't have the
4 statute in front of me. So I'm not able to --

5 THE COURT: I think I'm looking at the statute.
6 It says --

7 (Reading:) Pattern of conduct means
8 conduct comprised of a series of acts over a
9 period of time, however short, evidencing a
10 continuity of purpose. Constitutionally
11 protected activity is not included within the
12 meaning of pattern of conduct.

13 Now, we can have a debate on whether the second
14 sentence should come in, but, I guess, don't you think a
15 definition about pattern of conduct should come in; and,
16 secondly, what credible threat means?

17 MR. WIENER: I would agree with the Court on both
18 those points. I would object to the constitutionally
19 protected activity as -- it's our position, as a matter of
20 law, that there is no constitutionally protected activity on
21 behalf of the defendants.

22 THE COURT: Mr. Gebelin, this is a tag-team
23 effort. So go ahead, jump on in.

24 MR. GEBELIN: Just briefly, Your Honor.

25 In this instance, I believe part of the difficulty

1 is there is not a CACI instruction on point for stalking.

2 THE COURT: Right.

3 MR. GEBELIN: In fact, there was previously a CACI
4 instruction on stalking, but there was a revision of the
5 statute in about 2004 or 2005 that changed the elements
6 slightly that made it unwieldy to make a jury instruction
7 workable.

8 THE COURT: To your knowledge, if you don't
9 mind -- and I don't know if you were around in 2004 -- but
10 do you know if the CACI instruction included definitions of
11 terms like "pattern of conduct," "credible threat" --

12 MR. GEBELIN: Actually, Your Honor, that's exactly
13 where I was going with this. I was going to say, while it
14 did revise the statute, it did not change the provisions
15 relating to constitutionally protected activity, that
16 revision.

17 The prior CACI instruction did not include a
18 definition of pattern of conduct, and it did not include a
19 reference to constitutionally protected activity.

20 THE COURT: And do you know whether or not it
21 included a definition for credible threat or -- in other
22 words, all these other terms that are listed in the statute?

23 MR. GEBELIN: I believe credible threat was part
24 of the revision. So it didn't -- not that I can tell.

25 THE COURT: All right.

1 MR. GEBELIN: There was a portion of the prior
2 instruction that read, "As a result of the conduct,
3 plaintiff reasonably feared for his or her own safety."

4 So I think that would have addressed that portion
5 in the since-revoked CACI instruction.

6 THE COURT: Okay. All right. Thank you. I'm
7 just looking here at all the definitions.

8 MR. GEBELIN: Oh, Your Honor?

9 THE COURT: Yes.

10 MR. GEBELIN: I think I misspoke. There was a
11 definition of pattern of conduct in the prior instruction,
12 and it said, "A pattern of conduct means a series of words
13 or actions over a period of time, however short, that
14 reflects an ongoing purpose."

15 THE COURT: And that was included in the CACI
16 instruction?

17 MR. GEBELIN: That was included in the CACI
18 instruction that has been since revoked.

19 THE COURT: "Credible threat," was that in the
20 prior CACI instruction?

21 MR. GEBELIN: There is part of the instruction
22 that reads, "That as part of the pattern of conduct,
23 defendant made a believable threat with the intent to place
24 plaintiff in a reasonable fear," but no definition of that
25 phrase.

1 THE COURT: Okay. And I'm sorry. I'm just going
2 to keep asking about these other terms that I think I'm
3 worried that the jury may come back and say, "What does this
4 mean?"

5 "Harass," was that part of it?

6 MR. GEBELIN: Yes. "Harass" was defined. So
7 there were two defined terms: "Harass" and "pattern of
8 conduct."

9 "Harass" was defined as --

10 (Reading:) Harass means a knowing
11 and willful course of conduct directed at
12 plaintiff that seriously alarms, annoys,
13 torments, or terrorizes him or her and which
14 serves no legitimate purpose. The course of
15 conduct must be such as would cause a
16 reasonable person to suffer substantial
17 emotional distress and must actually cause
18 substantial emotional distress to plaintiff.

19 THE COURT: So it seems to me, based on just
20 hearing that -- and I appreciate your insights in that
21 regard -- it would seem to me that we would need to include
22 pattern of conduct, credible threat, and harass in this
23 instruction because those are terms of art, if you will, as
24 it relates to this Civil Code section.

25 I don't think it's unreasonable to assume that a

1 juror may ask, "Well, what does pattern of conduct mean?"
2 "What does it mean to harass?" "What is a credible threat?"
3 I mean, that's -- those are fair questions.

4 So it seems to me that those three definitions
5 should be included. And I am saying this, recognizing that
6 it's difficult for me to imagine a scenario where we would
7 include the words "constitutionally protected activity is
8 not included within the meaning of pattern of conduct"
9 because I think that's a question that's a matter of law.

10 But I will, at least, allow you both to be heard
11 as it relates to that. But it's -- my strong inclination is
12 to add to this instruction stalking, the definition of the
13 terms "pattern of conduct," "credible threat," and "harass."

14 Mr. Wiener, do you wish to be heard as it relates
15 to -- and I guess -- specifically as it relates to pattern
16 of conduct, I believe your position is that that definition
17 should not include the sentence, "Constitutionally protected
18 activity is not included within the meaning of pattern of
19 conduct"; correct?

20 MR. WIENER: That's correct, Your Honor. And just
21 to restate my position, it's our position that it's subsumed
22 within the statement that the credible threat has to place a
23 plaintiff in reasonable fear for their safety. That, by
24 definition, is not constitutionally protected activity; so
25 that way the Court avoids the issue.

1 THE COURT: I tend to agree with you, but I will
2 allow Mr. Taylor to be heard as to the proposal that I put
3 out.

4 MR. TAYLOR: I'm fine with that proposal,
5 Your Honor, but I have to apologize. I didn't hear the last
6 thing Mr. Wiener said or the whole thing. I didn't catch
7 it.

8 THE COURT: His position is that, when you look
9 at, for example, Jury Instruction Number 14, lines 22
10 through 24, he believes that that verbiage, made a credible
11 threat with either the intent to place the plaintiff in
12 reasonable fear for his safety, you can't do that -- if you
13 do that, it's not constitutionally protected.

14 So if the jurors believe that the plaintiff made
15 a -- defendant made a credible threat with the intent to
16 place the plaintiff in reasonable fear of his or her safety,
17 it's no longer constitutionally protected.

18 So -- and his argument is, therefore, you don't
19 need the end of the phrase, "Pattern of conduct" because, if
20 the juror is going to believe that, then we don't need to
21 confuse this further by including language of
22 "constitutionally protected activity" when the plaintiff
23 needs to prove that the threat was made with the intent to
24 place the plaintiff in reasonable fear of his or her safety.

25 MR. TAYLOR: I understand the argument, and we've

1 made our motion under 50(a) on that basis. We've reserved
2 that argument. We can make that motion later again.

3 So I am comfortable with that instruction as the
4 Court's proposed to amend it with the understanding that
5 it's going to be reserved as a question of law if need be.

6 THE COURT: And your objection is noted and
7 preserved. So I'm going to include this Instruction 14 --
8 I'm going to add verbiage along the lines of, for purposes
9 of this instruction, pattern of conduct means X, credible
10 threat means X, and harass means X, and leave it at that.

11 Mr. Taylor, you had some other objection.

12 MR. TAYLOR: I do have one point, Your Honor, with
13 respect to the questions on page 5 of the special verdict
14 form relating to the claim for relief for stalking.

15 THE COURT: Question 5. All right.

16 MR. TAYLOR: As we get to the bottom of the page
17 starting at Question 9, there are questions that relate to,
18 obviously, punitive damages, malice, oppression, or fraud.
19 And as I read that, I was thinking that there might be a
20 need for some instruction on what those terms mean.

21 Maybe I missed it, but I am thinking that those
22 won't be easily understood. I'm an attorney. I don't fully
23 always think I understand --

24 THE COURT: You're right, and I think that was my
25 mistake. I think I originally had them in this instruction,

1 and I had them pulled thinking that that would apply in the
2 punitive damages phase; but hearing your comments, I think
3 we need to put those back. So they at least -- what the
4 definition is for those.

5 I will look at those instructions again, and it's
6 just, when you look at those punitive damages instructions,
7 it suggests that the phase has already occurred.

8 MR. TAYLOR: I know.

9 THE COURT: That makes me think should the -- I
10 mean, I've done it in the past where we asked them the
11 question at the front end so that we know whether or not
12 there is a punitive damages phase, but let me look at the
13 instruction, and then I will bring back another packet with
14 a proposal as it relates to that.

15 MR. TAYLOR: Okay. I think that's all for us,
16 Your Honor. Thank you.

17 THE COURT: Okay. So here is the question I have
18 for you all. This is what I'm inclined to do -- to try to
19 get this done and then give the jurors the bad news that
20 they're going to have to come back tomorrow. And we can
21 either instruct this evening and argue tomorrow or we can
22 start at 9:00 with instructions and closing.

23 Do either side have a preference? And some of it
24 may be dictated by how long it takes for me to get these
25 instructions, but I don't know if either side has a

1 preference.

2 Since you are at the lectern, Mr. Taylor, I will
3 ask you first.

4 MR. TAYLOR: I don't know how long it would take
5 the Court to read these 50 pages of instructions but --

6 THE COURT: Probably going to be about 45 minutes.

7 MR. TAYLOR: -- but I would say that we have no
8 problem with having the Court do it today if we can fit it
9 in.

10 THE COURT: Mr. Wiener?

11 MR. WIENER: Yes, Your Honor, I prefer to use
12 our -- as much time as we can today.

13 THE COURT: All right. So then let me work on
14 these instructions, and we'll bring them back out, and let's
15 see if we can get that finalized, hopefully, by 4:00 so I
16 can read the instructions and have them come back tomorrow
17 morning for closing argument. All right? Thank you.

18 THE CLERK: All rise. This Court is in recess.

19 (Recess taken 3:34 to 4:10 PM)

20 THE COURT: All right. Counsel, I understand
21 there is an issue with Jury Instruction 16.

22 MR. GEBELIN: Yes, Your Honor.

23 THE COURT: Go ahead.

24 MR. GEBELIN: Just briefly. Because we're
25 bifurcating the punitive damage calculation from the rest of

1 the trial, I think we're in agreement that, starting from
2 line 20 on page 21 through the end should be omitted because
3 it refers to setting the amount of punitive damages.

4 THE COURT: So you want that part stricken?

5 MR. WIENER: Yes.

6 THE COURT: Okay. Now, again, just so we're
7 clear, this was the instruction you all both submitted. So
8 that's the reason why I put it in this way. But you're both
9 requesting that lines 20 on page 21 through line 4 through
10 page 24 stricken. Is that correct?

11 MR. GEBELIN: Yes, Your Honor.

12 THE COURT: Is that correct, Mr. Taylor?

13 MR. TAYLOR: Yes, Your Honor. That's correct.

14 THE COURT: All right. So we're going to make
15 that change, and then I'm going to make copies for the
16 jurors, and then I'm going to bring the jury in, and we're
17 going to -- I will give them the bad new that we're going to
18 instruct, and then we'll come back tomorrow for closing
19 argument. All right? So, hopefully, this won't take more
20 than 15 minutes or so to make the copies. All right?

21 Anything further, Mr. Gebelin?

22 MR. GEBELIN: No, Your Honor.

23 THE COURT: Mr. Taylor?

24 MR. TAYLOR: No.

25 THE COURT: All right. Thank you.

1 THE CLERK: All rise. This Court is in recess.

2 (Recess taken 4:11 PM to 4:43 PM)

3 (The following was heard in open court in the presence
4 of the jury:)

5 THE COURT: All right, ladies and gentlemen, again
6 I apologize for the delays. But as I said to you in the
7 beginning of the trial, while you are back there, we are
8 working. And so what we are going to do this evening is you
9 have a copy of the jury instructions. I am going to read
10 the jury instructions to you.

11 Unfortunately, we did not meet our deadline. So
12 you are going to have to come back tomorrow morning, but I
13 want us to have these instructions done so that tomorrow
14 morning you would hear closing arguments, and then you could
15 begin your deliberation.

16 So we anticipate, if you're here at 9:00 o'clock
17 tomorrow, you should begin deliberating the case by no later
18 than 10:15, 10:30, after the lawyers get a chance to argue.
19 So with that, let me begin with the closing instructions.
20 You all have copies with you. Okay. All right.

21 So these instructions are going to serve as a
22 guide for your consideration of the evidence in this case.

23 Now that you have heard all of the evidence, it is
24 my duty to instruct you on the law that applies to this
25 case. A copy of these instructions will be sent to the jury

1 room for you to consult during your deliberations.

2 It is your duty to find the facts from all the
3 evidence in the case. To those facts, you will apply the
4 law as I give it to you. You must follow the law as I give
5 it to you whether you agree with it or not and you must not
6 be influenced by any personal likes or dislikes, opinions,
7 prejudice or sympathy. That means you must decide the case
8 solely on the evidence before you. You will recall that you
9 took an oath to do so.

10 Please do not read into these instructions
11 anything that I may say or do or have said or done that I
12 have an opinion regarding the evidence or what your verdict
13 should be.

14 To help you follow the evidence, I will give you a
15 brief summary of the position of the parties. Plaintiff
16 Thunder Studios, Inc. asserts a claim for copyright
17 infringement. Plaintiff Rodric David asserts a claim for
18 stalking. Plaintiffs have the burden of proving these
19 claims. Defendants deny these claims.

20 When a party has a burden of proving any claim or
21 affirmative defense by a preponderance of the evidence, it
22 means you must be persuaded by the evidence that a claim or
23 affirmative defense is more probably true than not true.

24 You should base your decision on all of the
25 evidence regardless of which party presented it.

1 You should decide the case as to each party
2 separately. Unless otherwise stated the instructions apply
3 to all parties.

4 The evidence you are to consider in deciding what
5 the facts are consist of:

- 6 1. The sworn testimony of any witness;
- 7 2. The exhibits which are received into
8 evidence;
- 9 3. Any facts to which the lawyers have agreed;
10 and;
- 11 4. Any facts that I have instructed you to accept
12 as proved.

13 In reaching your verdict, you may consider only
14 the testimony and exhibits received into evidence. Certain
15 things are not evidence, and you may not consider them in
16 deciding what the facts are. I will list them for you.

17 1. Arguments and statements by lawyers are not
18 evidence. The lawyers are not witnesses. What they have
19 said in their opening statements, closing arguments and at
20 other times is intended to help you interpret the evidence,
21 but it is not evidence. If the facts as you remember them
22 differ from the way the lawyers have stated them, your
23 memory of them controls.

24 2. Questions and objections by lawyers are not
25 evidence. Attorneys have a duty to their clients to object

1 when they believe a question is improper or under the rules
2 of evidence. You should not be influenced by the objection
3 or by the Court's ruling on it.

4 3. testimony that is excluded or stricken or that
5 you have been instructed to disregard is not evidence and
6 must not be considered. In addition, some evidence may have
7 been received only for a limited purpose. When I instruct
8 you to consider certain evidence only for a limited purpose,
9 you must do so and you may not consider that evidence for
10 any other purpose.

11 4. Anything you have seen or heard when the Court
12 is not in session is not evidence. You are to decide the
13 case solely on the evidence received at the trial.

14 Evidence may be direct or circumstantial. Direct
15 evidence is direct proof of a fact such as testimony by a
16 witness about what that witness personally saw or heard or
17 did. Circumstantial evidence is proof of one or more facts
18 from which you could find another fact. You should consider
19 both kinds of evidence. The law makes no distinction
20 between the weight to be given to either direct or
21 circumstantial evidence. It is for you to decide how much
22 weight to give any evidence.

23 There are rules of evidence that control what can
24 be received into evidence. When a lawyer asks a question or
25 offers an exhibit into evidence and a lawyer on the other

1 side thinks that it is not permitted by the rules of
2 evidence, that lawyer may object. If I overruled the
3 objection, the question was answered or the exhibit
4 received. If I sustained the objection, the question was
5 not answered, and the exhibit cannot be received. Whenever
6 I sustained an objection to a question, you were to ignore
7 the question and must not guess what the answer might have
8 been.

9 Sometimes I ordered that the evidence be stricken
10 from the record and that you disregard or ignore the
11 evidence. That means, when you are deciding the case, you
12 must not consider the stricken evidence for any purpose.

13 From time to time during the trial it became
14 necessary for me to talk to the attorneys out of the hearing
15 of the jury either by having a conference at the bench when
16 the jury was present or by calling a recess. Please
17 understand that, while you were waiting, we were working.
18 The purpose of these conferences is not to keep relevant
19 information from you but to decide how certain evidence is
20 to be treated under the rules of evidence and to avoid
21 confusions and error.

22 Of course, we've done what we could to keep the
23 number and the length of these conferences to a minimum. I
24 did not always grant an attorney's request for a conference
25 but do not consider my granting or denying a request for a

1 conference as any indication of my opinion of the case or
2 what your verdict should be.

3 In deciding the facts in this case, you may have
4 to decide which testimony to believe and which testimony not
5 to believe. You may believe everything a witness says or
6 part of it or none of it.

7 In considering the testimony of any witness, you
8 may take into account.

9 1. The opportunity or the ability of a witness to
10 see or know the things testified to;

11 2. The witness's memory;

12 3. The witness's manner while testifying;

13 4. The witness's interest in the outcome of the
14 case, if any;

15 5. The witness's bias or prejudice, if any;

16 6. Whether other evidence contradicted the
17 witness's testimony;

18 7. The reasonableness of the witness's testimony
19 in light of all the evidence and;

20 8. Any other factors that bear on believability.

21 Sometimes a witness may say something that is
22 inconsistent with something else he or she says. Sometimes
23 different witnesses will give different answers of what
24 happened. People often forget things or make mistakes in
25 what they remember. Also, two people may see the same event

1 but remember it differently. You may consider these
2 differences but do not decide the testimony is untrue just
3 because it differs from other testimony.

4 However, if you decide that a witness has
5 deliberately testified untruthfully about something
6 important, you may choose not to believe anything that
7 witness says. On the other hand, if you think the witness
8 testified truthfully about some things but told the truth
9 about others, you may accept the part that you think is true
10 and ignore the rest.

11 The weight of the evidence as to a fact does not
12 necessarily depend on the number of witnesses who testify.
13 What is important is how believable the witnesses were and
14 how much weight you think their testimony deserves.

15 A deposition is the sworn testimony of a witness
16 taken before trial. The witness is placed under oath to
17 tell the truth and lawyers for each party may ask questions.
18 The questions and answers are reported.

19 Insofar as possible, you should consider
20 deposition testimony presented to you in court in lieu of
21 live testimony in the same way as if the witness had been
22 present to testify.

23 Evidence was presented to you in terms of answers
24 of one of the parties to written interrogatories submitted
25 by the other side. These answers were given in writing and

1 under oath before the trial in response to questions that
2 were submitted under established court procedures. You
3 should consider the answers insofar as possible in the same
4 way as if they were made from the witness stand.

5 The exhibits received into evidence that are
6 capable of being displayed electronically will be provided
7 to you in that form, and you will be able to view them in
8 the jury room. A computer, projector, printer, and
9 accessory equipment will be available to you in the jury
10 room.

11 A Court technician will show you how to operate
12 the computer and other equipment, how to located and view
13 exhibits on the computer, and how to print the exhibits.
14 You will also be provided with a paper list of all exhibits
15 received in evidence. You may request a paper copy of any
16 exhibit received in evidence by sending a note through the
17 clerk. If you need additional equipment or supplies or if
18 you have questions about how to operate the computer or
19 equipment, you may send a note to the clerk, signed by your
20 foreperson or by one or more members of the jury. Do not
21 refer to or discuss any exhibit you were attempting to view.

22 If a technical problem or question requires
23 hands-on maintenance or instruction, a court technician may
24 enter the jury room with the bailiff present for the sole
25 purpose of assuring that the only matter that is discussed

1 is the technical problem. When the court technician or any
2 nonjuror is in the room, the jury shall not deliberate. No
3 juror may say anything to the court technician or any
4 nonjuror other than to describe the technical problem or to
5 seek information about operation of the equipment. Do not
6 discuss any exhibit or any aspect of the case. The sole
7 purpose of providing the computer in the jury room is to
8 enable jurors to view the exhibits received in evidence in
9 this case. You may not use the computer for any other
10 purpose. At my direction technicians have taken steps to
11 ensure that the computer does not permit access to the
12 Internet or to any outside Website, database, directory,
13 game, or other material. Do not attempt to alter the
14 computer to obtain access to such materials. If you
15 discover that the computer provides or allows access to such
16 materials, you must inform the Court immediately and refrain
17 from viewing such materials. Do not remove the computer or
18 any electronic data from the jury room and do not photocopy
19 any such data.

20 Defendants are liable for the tort of stalking
21 when plaintiff Rodric David proves all of the following
22 elements of the tort:

23 (1) The defendant engaged in a pattern of
24 conduct, the intent of which was to follow, alarm, place
25 under surveillance, or harass the plaintiff. In order to

1 establish this element, the plaintiff shall be required to
2 support his or her allegations with independent
3 corroborating evidence.

4 (2) As a result of that pattern or conduct,
5 either the following occurred:

6 (A), the plaintiff reasonably feared for his
7 or her safety or the safety of an immediate family member.
8 For purposes of this subparagraph, immediate family means a
9 spouse, parent, child, any person related by consanguinity
10 or affinity within the second degree, or any person who
11 regularly resides or, within the six months preceding any
12 portion of the pattern of conduct, regularly resided in the
13 plaintiffs' household.

14 (B) Plaintiff suffered substantial emotional
15 distress and the pattern of conduct would cause an emotional
16 person substantial emotional distress.

17 (3) One of the following:

18 (A) The defendant, as part of the pattern of
19 conduct specified in paragraph 1 made a credible threat with
20 either (i) the intent to place the plaintiff in reasonable
21 fear for his or her safety or the safety of an immediate
22 family member or (ii) reckless disregard for the safety of
23 the plaintiff or that of an immediate family member. In
24 addition the plaintiff must have on at least one occasion
25 clearly and definitively demanded that the defendant cease

1 and abate his or her pattern of conduct and the defendant
2 persisted in his or her pattern of conduct unless exigent
3 circumstances made the plaintiffs' communication of the
4 demand practical or unsafe.

5 (B) The defendant violated a restraining order
6 including, but not limited to, any order issued pursuant to
7 Section 527.6 of the Code of Civil Procedure prohibiting any
8 act described in Subdivision (a).

9 For the purposes of this instruction:

10 (1) "Pattern of conduct" means conduct composed
11 of a series of acts over a period of time, however short,
12 evidencing continuity of purpose.

13 (2) "Credible threat" means a verbal or written
14 threat, including that communicated by means of an
15 electronic communication device or a threat implied by a
16 pattern of conduct, including, but not limited to, acts in
17 which a defendant directly, indirectly, or through third
18 parties by any action, method, device, or means follows,
19 harasses, monitors, surveils, threatens, or interferes with,
20 or damages the plaintiffs' property or a combination of
21 verbal, written or electronically communicated statements
22 and conduct made with the intent and apparent ability to
23 carry out the threat so as to cause the person who is the
24 target of the threat to reasonably fear for her safety, for
25 the safety of his or her immediate family.

1 (3) "Harass" means a knowing and willful course
2 of conduct directed at a specific person which seriously
3 alarms, annoys, torments, or terrorizes the person and which
4 serves no legitimate purpose. The course of conduct must be
5 such as would cause a reasonable person to suffer
6 substantial emotional distress and must actually cause
7 substantial emotional distress to the person.

8 It is the duty of the Court to instruct you about
9 the measure of damages. By instructing you on damages, the
10 Court does not mean to suggest for which party your verdict
11 should be rendered.

12 If you find for plaintiff Rodric David on his
13 stalking claim, you must determine the plaintiffs' damages.
14 The plaintiff has the burden of proving damages by a
15 preponderance of the evidence. Damages means the amount of
16 money that will reasonably and fairly compensate the
17 plaintiff for any injury you find was caused by the
18 defendant. You should consider the following:

19 The nature and extent of injuries;

20 The loss of enjoyment of life experience and that
21 with reasonable probability will be experienced in the
22 future;

23 The mental and emotional pain and suffering
24 experienced and that with reasonable probability will be
25 experienced in the future;

1 It is for you to determine what damages, if any,
2 have been proved.

3 Your award must be based upon the evidence and not
4 upon speculation, guesswork, or conjecture.

5 If you find for either the plaintiffs, you may but
6 are not required to award punitive damages.

7 The purposes of punitive damages are to punish a
8 defendant and to deter similar acts in the future. Punitive
9 damages may not be awarded to compensate the plaintiff.

10 Plaintiffs have the burden of proving by a
11 preponderance of the evidence that punitive damages should
12 be awarded and, if so, the amount of any such damages.

13 You may award punitive damages only if you find
14 that the defendants' conduct that harmed the plaintiff was
15 malicious, oppressive, or in reckless disregard of the
16 plaintiffs' rights. Conduct is malicious if it is
17 accompanied by ill will or spite or if it is for the purpose
18 of injuring the plaintiff. Conduct is in reckless disregard
19 of the plaintiffs' rights if under the circumstances it
20 reflects complete indifference to the plaintiffs' safety or
21 rights or if the defendant acts in the face of a perceived
22 risk that its action will violate the plaintiffs' rights
23 under federal law. An act or omission is oppressive if the
24 defendant injures or damages or otherwise violates the
25 rights of the plaintiff with unnecessary harshness or

1 severity such as by misusing or abusing authority or power
2 or by taking advantage of some weakness or disability or
3 misfortune of the plaintiff.

4 The plaintiff Thunder Studios claims ownership or
5 copyrights and seeks damages against defendants for
6 copyright infringement. The defendants deny infringing
7 copyrights. To help you understand the evidence in this
8 case, I will explain some of the legal terms you will have
9 heard throughout the trial. The owner of a copyright has
10 the right to exclude any other person from reproducing,
11 distributing, performing, displaying, or preparing
12 derivative works from the work covered by the copyright for
13 a specific period of time. The copyrighted work can be a
14 literary work, musical work, dramatic work, pantomime,
15 choreographic work, pictorial work, graphic work, sculptural
16 work, motion picture, audio-visual work, sound recording,
17 architectural work, or computer program. Facts, ideas,
18 procedures, processes, systems, methods of operation,
19 concepts, principles, or discoveries cannot themselves be
20 copyrighted. The copyrighted work must be original. And
21 original work that closely resembles other works can be
22 copyrighted so long as the similarity between the two works
23 is not the result of copying. Copyright automatically
24 attaches to a work the moment the work is fixed in any
25 tangible medium or expression. The owner of the copyright

1 may register the copyright by completing a registration form
2 and depositing a copy of the copyrighted work with the
3 Copyright Office. After determining that the material
4 deposited constitutes copyrightable subject matter and that
5 certain legal and formal requirements are satisfied, the
6 register of copyrights registers the work and issues a
7 certificate of registration to the copyright owner.

8 In this case, plaintiff, Thunder Studios, Inc.,
9 contends that defendants have infringed the plaintiffs'
10 copyrights. The plaintiffs have the burden of proving by a
11 preponderance of the evidence that the plaintiffs are the
12 owner of the copyright and that the defendant copied
13 original expression from the copyrighted work.
14 Preponderance of the evidence means that you must be
15 persuaded by the evidence that it is more probably true than
16 not true that the copyrighted work was infringed. The
17 plaintiff must also prove that the defendants' use of the
18 copyrighted work was substantial. In determining whether
19 the defendants' use of the copyrighted work was substantial,
20 you may consider how important the copied portion was to the
21 copyrighted work as a whole. To prove that the defendants
22 copied the plaintiffs' work, the plaintiff may show that the
23 defendant had access to the plaintiffs' copyrighted work and
24 that there are substantial similarities between the
25 defendants' work and the plaintiffs' copyrighted work.

1 One who reproduces, publicly distributes, publicly
2 displays and/or prepares derivative works from a copyrighted
3 work without authority from the owner during the term of the
4 copyright infringes the copyright. Copyright may also be
5 infringed by contributorily or vicariously infringing. A
6 person is liable for copyright infringement by another if
7 the person knows or should have known of the infringing
8 activity and induces or materially contributes to the
9 activity.

10 A person is liable for copyright infringement by
11 another if the person has profited directly from the
12 infringing activity and had the right and ability to
13 supervise or control the infringing activity whether or not
14 the person knew of the infringing.

15 Copyright is the exclusive right to copy. The
16 right to copy includes the exclusive rights to (1) reproduce
17 the copyrighted works in copies; (2) recast, transform, or
18 adapt the work that is prepared, derivative works, based on
19 the copyrighted work and/or (3), display publicly a
20 copyrighted work.

21 The photographs involved in this trial are known
22 as pictorial work. Copyright law allows the author of an
23 original work to stop others from copying the original
24 expression in the author's work. Only the particular
25 expression of an idea can be copyrighted and protected.

1 Copyright law does not give the author the right to prevent
2 others from copying or using the underlying ideas contained
3 in the work, such as any procedures, processes, system,
4 methods of operation, concept, principles, or discoveries.

5 Anyone who copies original expression from a
6 copyrighted work during the term of the copyright without
7 the owner's permission infringes the copyright. On the
8 plaintiffs' copyright infringement claim, the plaintiff has
9 the burden of proving by a preponderance of the evidence
10 that (1), the plaintiff is the owner of a valid copyright
11 and (2), the defendant copied original expression from the
12 copyrighted work.

13 If you find that the plaintiff has proved both of
14 these elements, your verdict should be for the plaintiff.
15 If, on the other hand, you find that the plaintiff has
16 failed to prove either of these elements, your verdict
17 should be for the defendant. The plaintiff is the owner of
18 a valid copyright in the photographs -- I'm sorry -- the
19 plaintiff is the owner of a valid copyright in the
20 photographs if the plaintiff proves by a preponderance of
21 the evidence that (1) the plaintiffs' work is original and
22 (2) the plaintiff is the author or creator of the work. A
23 copyright owner may obtain a certificate of registration
24 from the Copyright Office. The evidence in this case
25 includes Exhibits 23 and 24, which are certificates of

1 copyright registration from the Copyright Office. You are
2 instructed that the certificates are sufficient to establish
3 that there is a valid copyright in the photographs in
4 question. A copyright owner is entitled to exclude others
5 from copying a work made for hire. A work made for hire is
6 one that is prepared by an employee and is within the scope
7 of employment. A work is made for hire within the scope of
8 employment if (1) it is the kind of work the employee is
9 employed to create; (2) it occurs substantially within the
10 authorized time and space limits; and (3) it is made at
11 least in part for the purpose of serving the employer. The
12 employer is considered to be the author of the work and owns
13 the copyright. A copyright owner of a work made for hire
14 may enforce the right to exclude others in an action for
15 copyright infringement. Instruction 21 states that the
16 plaintiff has the burden of proving that the defendant
17 copied original elements from the plaintiffs' copyrighted
18 work. The plaintiff may show the defendants copied from the
19 work by proving by a preponderance of the evidence that the
20 defendant had access to the plaintiffs' copyrighted work and
21 that there are substantial similarities between the
22 defendants' work and the original elements of the
23 plaintiffs' work. As part of its burden in
24 Instruction Number 21, the plaintiff must prove by a
25 preponderance of the evidence that the defendants had access

1 to the plaintiffs' work. You may find that the defendants
2 had access to the plaintiffs' work if the defendants had a
3 reasonable opportunity to view the plaintiffs' work before
4 the defendants' work was created. A plaintiff must prove
5 that its work and the defendants' work are substantially
6 similar. Substantial similarity exists when there is a
7 material -- or material overlap between the works' creative
8 expressions. If you find that one or more of the defendants
9 infringed the plaintiffs' copyright in the photographs, you
10 must determine whether the other defendants vicariously
11 infringed that copyright. The plaintiff has the burden of
12 proving each of the following elements by a preponderance of
13 the evidence:

14 (1) The defendants -- I'm sorry -- the other
15 defendants directly benefited financially from the
16 infringing activity of the direct infringer;

17 (2) The other defendants had the right and
18 ability to supervise and control the infringing activity of
19 the direct infringer and;

20 (3) The other defendants failed to exercise that
21 right and ability.

22 If you find that the plaintiff has proved each of
23 these elements, your verdict should be for the plaintiff if
24 you also find the direct infringer infringed plaintiffs'
25 copyright. If, on the other hand, the plaintiff has failed

1 to prove any of these elements, your verdict should be for
2 the other defendants.

3 A defendant may be liable for copyright
4 infringement engaged in by another if he knew or had reason
5 to know of the infringing activity and intentionally induced
6 or materially contributed to that infringing activity. If
7 you find that any of the defendants infringed the
8 plaintiffs' copyright in the photographs, you must determine
9 whether the other defendants contributorily infringed that
10 copyright.

11 The plaintiff has the burden of proving each of
12 the following elements by a preponderance of the evidence:

13 (1) The defendant knew or had reason to know of
14 the infringing activity of the direct infringer and;

15 (2) The defendant intentionally induced or
16 materially contributed to direct infringer's infringing
17 activity.

18 If you find that direct infringer infringed
19 plaintiffs' copyright and you also find that the plaintiff
20 has proved both of these elements, your verdict should be
21 for the plaintiff. If, on the other hand, the plaintiff has
22 failed to prove either or both of these elements, your
23 verdict should be for the defendant. One who is not the
24 owner of the copyright may use the copyrighted work in a
25 reasonable way under the circumstances without the consent

1 of the copyright owner if it would advance the public
2 interest. Such use of a copyright use is called fair use.
3 The owner of the copyright cannot prevent others from making
4 a fair use of the owner's copyrighted work. Defendant
5 contends that the defendant made fair use of the copyrighted
6 work for the purpose protest. The defendant has the burden
7 of proving this defense by a preponderance of the evidence.
8 In determining whether the use was made of the work was
9 fair, you should consider the following factors:

10 (1) The purpose and character of the use,
11 including whether the use is of commercial nature or is for
12 nonprofit educational purposes;

13 (2) The nature of the copyrighted work;

14 (3) The amount and substantiality of the portion
15 used in relation to the copyrighted work as a whole, and;

16 (4) The effect of the use upon the potential
17 market for or value of the copyrighted work.

18 If you find that the defendant has proved by a
19 preponderance of the evidence that defendant made a fair use
20 of the plaintiffs' work, your verdicts should be for the
21 defendant. If you find for the plaintiffs' copyright
22 infringement claim, you must determine the plaintiffs'
23 damages. The plaintiff is entitled to recover the actual
24 damages suffered as a result of the infringement.

25 In addition the plaintiff is also entitled to

1 recover any profits of the defendant attributable to the
2 infringer. The plaintiff must prove damages by a
3 preponderance of the evidence. The copyright owner is
4 entitled to recover actual damages suffered as a result of
5 the infringement. Actual damages means the amount of money
6 adequate to compensate the copyright owner for the reduction
7 of the fair market value of the copyrighted work caused by
8 the infringer. The reduction of the fair market value of
9 the copyrighted work is the amount a willing buyer would
10 have reasonably required to pay a willing seller at the time
11 of the infringement for the actual use made by the defendant
12 of the plaintiffs' work. That amount also could be
13 represented by the lost license fees the plaintiff would
14 have received for the defendants' unauthorized use of the
15 plaintiffs' work. If you find for the plaintiff on
16 plaintiffs' copyright claim, you must determine the
17 plaintiff's damages. The plaintiff may seek and the jury
18 may award statutory damages instead of actual damages and
19 profits. The plaintiff here seeks a statutory damage award
20 established by Congress for each work infringed. Its
21 purpose is not only to compensate the plaintiff for its
22 losses, which may be hard to prove, but also to penalize the
23 infringer and deter future violations of the copyright laws.
24 The amount you may award as statutory damages is not less
25 than \$750 nor more than \$30,000 for each work you conclude

1 was infringed; however, if you find the infringement was
2 innocent, you may award as little as \$200 for each work
3 innocently infringed. However, if you find the infringement
4 was willful, you may award as much as \$150,000 for each work
5 wilfully infringed.

6 Instruction Numbers 34 and 35 will tell you what
7 constitutes innocent infringement and what constitutes
8 willful infringement. An infringement is considered
9 innocent when the defendant has proved both of the following
10 elements by a preponderance of the evidence:

11 The defendant was not aware that his acts
12 constitutes infringement of the copyright, and the
13 defendants had no reason to believe that his acts constitute
14 infringement of the copyright.

15 An infringement is considered willful when the
16 plaintiff has proved both of the following elements by a
17 preponderance of the evidence:

18 The defendant engaged in acts that infringed the
19 copyright and;

20 2. The defendant new that those acts infringed
21 the copyright or the defendant acted with reckless disregard
22 for, or willful blindness to, the copyright holder's right.

23 Defendant asserts a defense that the statute of
24 limitations prohibits plaintiff Thunder Studios's copyright
25 claims. Statutes of limitations are laws that prevent the

1 plaintiff from recovering damages based on conduct that the
2 plaintiff knew about or should have known about by failing
3 to bring suit within a prescribed period of time.

4 The time period within which a suit must be
5 brought begins when Thunder Studios first knew or should
6 have known that defendants were using its copyrighted
7 photographs on kazalfamilystory.com. The applicable statute
8 of limitations is three years. Statute of limitations does
9 not prohibit recovery of damages that were incurred more
10 than three years prior to the filing of the suit if the
11 copyright plaintiff was aware of the infringement and that
12 lack of knowledge was reasonable under the circumstances.

13 Plaintiff Thunder Studios brought this suit on
14 February 2nd, 2017. Defendants claim that plaintiffs' claim
15 based on publication of certain photographs on
16 kazalfamilystory.com are barred here because Thunder Studios
17 knew or should have known by February 2nd, 2014, that the
18 photographs appeared on that Website. Defendants have the
19 burden of proving the statute of limitation defense. In
20 other words, the defendants must prove by a preponderance of
21 the evidence that the plaintiff Thunder Studios knew or
22 should have known of the alleged infringement prior to
23 February 2nd, 2014.

24 Before you begin your deliberations, elect one
25 member of the jury as your presiding juror. The presiding

1 juror will preside over the deliberations and serve as your
2 spokesperson for the jury in court. You shall diligently
3 strive to reach agreement with all of the other jurors if
4 you can do so. Your verdict must be unanimous.

5 Each of you must decide the case for yourself, but
6 you should do so only after you have considered all of the
7 evidence, discussed it fully with the other jurors, and
8 listened to their views. It is important that you attempt
9 to reach a unanimous verdict but, of course, only if each of
10 you can do so after having made your own conscientious
11 decision. Do not be unwilling to change your opinion if the
12 decision persuades you -- I should say -- if the evidence
13 persuades you that you should. But do not come to a
14 decision simply because other jurors think it is right or
15 change an honest belief about the weight and effect of the
16 evidence simply to reach a verdict. Because you must base
17 your verdict only on the evidence received in this case and
18 the instructions, I remind you that you must not be exposed
19 to any other information about the case or to the issues it
20 involves. Except for discussing the case with your fellow
21 jurors during your deliberations, do not communicate with
22 anyone in any way and do not let anyone else communicate
23 with you in any way about the merits of the case or anything
24 to do with it. This includes discussing the case in person,
25 in writing, by phone or electronic means, via e-mail, via

1 text messaging, or any Internet chat room, blog, Website or
2 application, including, but not limited to, Facebook,
3 YouTube, Twitter, Instagram, LinkedIn, Snapchat, or any
4 other forms of social media. This applies to communicating
5 with your family members, your employer, the media or press,
6 and the people involved in the trial. If you are asked or
7 approached in any way about your jury service or anything to
8 do with it, you must respond that you have been ordered not
9 to discuss the matter and to report the contact to the
10 Court. Do not read, watch, or listen to any news or media
11 accounts or commentary about the case or anything to do with
12 it. Do not do any research such as consulting dictionaries,
13 searching the Internet or using other reference materials
14 and do not make any investigation or in any other way try to
15 learn about the case on your own. Do not visit or view any
16 place discussed in this case and do not use Internet
17 programs or other devices to search for or view any place
18 discussed during the trial. Also, do not do any research
19 about the case, the law, the people involved, including the
20 parties, the witnesses, or the lawyers until you have been
21 excused as jurors. If you happen to read or hear anything
22 touching on this case in the media, turn away and report it
23 to me as soon as possible. These rules protect each party's
24 right to have this case decided only on evidence that has
25 been presented here in court. Witnesses here in court take

1 an oath to tell the truth, and the accuracy of their
2 testimony is tested through the trial process. If you do
3 any research or investigation outside the courtroom or gain
4 any information through improper communication, then your
5 verdict may be influenced by inaccurate, incomplete, or
6 misleading information that has not been tested by the trial
7 process.

8 Each of the parties is entitled to a fair trial by
9 an impartial jury, and if you decide the case based on
10 information not presented in court, you will have denied the
11 parties a fair trial. Remember, you have taken an oath to
12 follow the rules, and it is very important that you follow
13 these rules.

14 A juror who violates these restrictions
15 jeopardizes the fairness of these proceedings, and a
16 mistrial could result that would require the entire trial
17 process to start over. If any juror is exposed to any
18 outside information, please notify the Court immediately.

19 If it becomes necessary during your deliberations
20 to communicate with me, you may send a note through the
21 clerk signed by any one or more of you. No member of the
22 jury should ever attempt to communicate with me except by a
23 signed writing. I will not communicate with any member of
24 the jury on anything concerning the case except in writing
25 or here in open court.

1 If you send out a question, I will consult with
2 the lawyers before answering it, which may take some time.
3 You may continue your deliberations while waiting for the
4 answer to any question. Remember, you are not to tell
5 anyone, including the Court, how the jury stands, whether in
6 terms of vote count or otherwise, until after you have
7 reached a unanimous verdict or have been discharged. I will
8 now say a few words about your conduct as jurors.

9 First, keep an open mind throughout the trial and
10 do not decide what your verdict should be until you and your
11 fellow jurors have completed your deliberations at the end
12 of the case. Second, because you must decide the case based
13 only on the evidence received in the case and on my
14 instructions as to the law that applies, you must not be
15 exposed to any other information about the case or to the
16 issues it involves during the course of your jury duty.
17 Thus, until the end of the case or unless I tell you
18 otherwise, do not communicate with anyone in any way and do
19 not let anyone else communicate with you in any way about
20 the merits of the case or anything to do with it. This
21 includes discussing the case in person, in writing, by phone
22 or electronic means, via e-mail, text messaging, or Internet
23 chat room, blog or including, but not limited to, Facebook,
24 YouTube, Twitter, Instagram, LinkedIn, Snapchat, or any
25 other form of social media. This applies to communicating

1 with your fellow jurors until I give you the case for
2 deliberation, and it applies to communicating with everyone
3 else, including your family members, your employer, the
4 media or press, and the people involved in the trial.
5 Although, as I said earlier, you may notify your family and
6 your employer that you have been seated as a juror in the
7 case and how long you expect the trial to last. But if you
8 are asked or approached in any way about your jury service
9 or anything about this case, you must respond that you have
10 been ordered not to discuss the matter and to report the
11 contact to the Court. Because you will receive all the
12 evidence and legal instruction you are properly -- you
13 properly may consider to return a verdict, don't read, watch
14 or listen to any news or media accounts or commentary about
15 the case or anything to do with it, although I have no
16 information that there will be news reports about this case.
17 Do not do any research such as consulting dictionaries,
18 searching the Internet, or using other reference materials,
19 and do not make any investigation or in any other way try to
20 learn about this case on your own. Do not view or visit any
21 place discussed in this case. Do not use any Internet
22 programs or other devices to search for or view any place
23 discussed during the trial and also do not do any research
24 about this case, the law, or the people involved, including
25 the parties, the witnesses or the lawyers until you have

1 been excused as jurors. If you happen to read or hear
2 anything touching on this case in the media, turn away and
3 report it to me as soon as possible.

4 As I said earlier, these rules are to protect each
5 parties' rights to have this case decided only on evidence
6 that has been presented here in court. Witnesses here in
7 court take an oath to tell the truth and the accuracy of
8 their testimony is tested through the trial process. If you
9 do any research or investigation outside the courtroom or
10 gain any information through improper communications, then
11 your verdict may be influenced by inaccurate, complete, or
12 misleading information that has not been tested by the trial
13 process. Each of the parties is entitled to a fair trial by
14 an impartial jury, and if you decide the case based on
15 information not presented in court, you will have denied the
16 parties a fair trial. Remember you have taken an oath to
17 follow the rules, and it's very important that you do follow
18 the rules.

19 A juror who violates these restrictions
20 jeopardizes the fairness of these proceedings, and a
21 mistrial could result that will require the entire trial
22 process to start over. If any juror is exposed to any
23 outside information, please notify the Court immediately.

24 During the deliberations, you will have to make
25 your decision based on what you recall of the evidence. You

1 will not have a transcript of the trial. Some of you took
2 notes during the trial. You may take your notes with you
3 into the jury room for deliberations. Whether or not you
4 took notes, you should rely on your own memory of the
5 evidence. Notes are only to assist your memory. You should
6 not be overly influenced by your notes or those of your
7 fellow jurors. When you leave, your notes should be left in
8 the jury room. No one will read your notes, and they will
9 be destroyed at the conclusion of the case.

10 A verdict form has been prepared for you. After
11 you have reached a unanimous agreement on a verdict, your
12 presiding juror should complete the verdict form according
13 to your deliberations, sign and date it, and advise the
14 bailiff that you are ready to return to the courtroom.

15 So that concludes the jury instructions. Tomorrow
16 morning at 9:00 A.M. I will have a quiz on all of these
17 instructions you will have to take -- I'm kidding. At
18 9:00 A.M. tomorrow, we will begin with closing arguments,
19 and then the case will be submitted to you for your
20 deliberation. So do your best to be here tomorrow at
21 9:00 A.M. so we can get the process started.

22 Thank you for indulging me and staying with me
23 late this evening. Have a good evening, and I will see you
24 all tomorrow at 9:00 A.M.

25 THE CLERK: All rise for the jury.

1 (The following was heard in open court outside the
2 presence of the jury:)

3 THE CLERK: Please be seated.

4 THE COURT: All right. Counsel, let's have you
5 here at -- let's say, 20 till 9:00 just in case there are
6 any issues that either side wishes to bring up before
7 closing because I really to want to start at 9:00. I
8 believe -- and correct me if I am wrong -- I think I gave
9 each side 30 minutes for closing.

10 Is that your memory, Mr. Wiener?

11 MR. WIENER: I actually thought was 20 minutes,
12 but I could be mistaken about that.

13 MR. TAYLOR: I recall 20 for opening, 30 for
14 closing.

15 THE COURT: All right. Well, hopefully, you all
16 won't need more than 30 minutes for closing. All right? So
17 I will see you tomorrow at 20 till 9:00. Have a good
18 evening.

19 THE CLERK: All rise. This Court is adjourned.

20 (Proceedings concluded at 5:44 P.M.)

21 --oOo--
22
23
24
25

CERTIFICATE

I hereby certify that pursuant to Section 753,
Title 28, United States Code, the foregoing is a true and
correct transcript of the stenographically reported
proceedings held in the above-entitled matter and that the
transcript page format is in conformance with the
regulations of the Judicial Conference of the United States.

Date: May 2, 2019.

/S/ CHIA MEI JUI _____

Chia Mei Jui, CSR No. 3287

<p>MR. GEBELIN: [14] 64/23 65/2 65/11 65/22 65/25 66/7 66/9 66/16 66/20 67/5 72/21 72/23 73/10 73/21</p> <p>MR. TAYLOR: [71] 4/8 5/1 5/25 6/3 10/20 10/22 15/10 18/19 18/23 22/3 22/8 22/12 22/14 22/20 22/23 23/2 23/5 30/11 34/9 34/18 35/14 36/5 36/15 45/3 47/6 47/20 47/23 48/3 48/6 49/17 49/19 50/25 51/19 52/24 53/11 54/16 54/21 54/25 55/9 56/1 56/17 57/5 57/14 57/17 57/20 57/24 58/3 58/5 58/7 58/14 58/19 58/24 59/12 60/1 60/6 60/13 60/21 61/1 61/13 62/5 69/3 69/24 70/11 70/15 71/7 71/14 72/3 72/6 73/12 73/23 105/12</p> <p>MR. WIENER: [27] 13/7 21/14 21/18 21/25 23/7 24/7 30/7 33/22 34/12 34/22 35/5 36/13 44/9 47/17 47/24 48/9 54/12 62/8 62/14 62/21 63/13 63/23 64/16 68/19 72/10 73/4 105/10</p> <p>THE CLERK: [11] 4/15 4/20 36/21 37/1 48/21 54/4 72/17 73/25 104/24 105/2 105/18</p> <p>THE COURT: [118] THE REPORTER: [2] 22/11 58/23</p> <p>THE WITNESS: [9] 4/19 4/22 5/24 6/2 21/20 34/15 36/25 37/3 47/7</p> <p>\$</p> <p>\$150,000 [1] 96/4 \$200 [1] 96/2 \$30,000 [1] 95/25 \$750 [1] 95/25</p> <p>-</p> <p>--oOo [1] 105/21 -and [1] 2/6</p> <p>1</p> <p>10 [3] 1/15 3/2 4/1 100 [1] 1/9 1056 [1] 50/5 10:15 [1] 74/18 10:30 [1] 74/18 10th [1] 25/18 110 [1] 50/4</p>	<p>11:05 A.M [1] 29/13 14 [11] 12/16 12/19 13/6 13/10 58/4 58/5 58/18 62/12 62/17 69/9 70/7</p> <p>15 [5] 6/8 39/11 39/24 43/4 73/20</p> <p>16 [1] 72/21 17 [1] 58/20</p> <p>17-0871-AB [1] 1/7 170.7 [1] 58/23 1708 [2] 59/7 59/8 1708.7 [3] 51/11 62/24 63/24</p> <p>1880 [1] 2/13 1990 [1] 50/5 1:20 [2] 1/16 4/2</p> <p>2</p> <p>2 1/2 [2] 38/3 38/17 20 [12] 10/19 10/22 11/4 25/8 39/11 39/17 73/2 73/9 105/5 105/11 105/13 105/17 20,000 [1] 24/18 20-minute [1] 48/14 2004 [2] 65/5 65/9 2005 [1] 65/5 201-7600 [1] 2/14 2014 [3] 58/12 97/17 97/23 2015 [1] 38/6 2016 [10] 21/12 25/18 27/1 27/22 27/25 29/12 30/17 32/1 38/23 45/12 2017 [3] 38/6 58/11 97/14 2018 [6] 1/15 3/2 4/1 45/9 45/15 46/1 2019 [1] 106/10 21 [4] 73/2 73/9 91/15 91/24 22 [1] 69/9 22nd [1] 30/6 23 [1] 90/25 24 [3] 69/10 73/10 90/25 26th [3] 17/7 45/15 46/1 28 [4] 23/19 30/9 30/10 106/4 28,2018 [1] 45/19 29 [4] 30/1 30/9 30/11 30/14 2:30 P.M [1] 25/18 2:31 [1] 54/6 2:45 [1] 48/15 2:45 please [1] 48/21 2nd [3] 58/11 97/17 97/23</p> <p>3</p> <p>30 [3] 105/9 105/13 105/16 3072 [1] 2/9 310 [2] 2/9 2/14 3287 [2] 1/23 106/15</p>	<p>34 [1] 39/14 341-3072 [1] 2/9 35 [2] 62/16 96/6 350 [1] 1/24 3:07 [1] 54/6 3:34 [1] 72/19</p> <p>4</p> <p>41 [1] 57/23 4311 [1] 1/24 44 [1] 15/8 45 [1] 72/6 487-5607 [1] 2/5 4:00 so [1] 72/15 4:10 [1] 72/19 4:11 [1] 74/2 4:43 [1] 74/2</p> <p>5</p> <p>50 [4] 49/17 50/14 70/1 72/5 520 [1] 2/8 527.6 [1] 84/7 5607 [1] 2/5 5:44 [1] 105/20</p> <p>6</p> <p>609 [1] 2/4</p> <p>7</p> <p>714 [1] 2/13 753 [1] 106/3 7600 [1] 2/14 7th [1] 27/24</p> <p>8</p> <p>8383 [1] 2/8</p> <p>9</p> <p>90012 [1] 1/24 90067 [1] 2/13 90211 [1] 2/8 925 [1] 2/5 94582 [1] 2/4 9:00 [3] 104/16 105/7 105/17 9:00 A.M [3] 104/18 104/21 104/24 9:00 just [1] 105/5 9:00 o'clock [1] 74/16 9:00 with [1] 71/22</p> <p>A</p> <p>A-n-t-o-n-e-l-l-o [1] 37/5 AB [1] 1/7 abate [1] 84/1 abbreviated [1] 5/18 ability [5] 79/9 84/22 89/12 92/18 92/21 able [5] 28/18 55/22 55/25 64/4 81/7 absolutely [7] 8/3 8/11 9/1 10/15 10/15 12/11 26/19 abusing [1] 87/1 accept [2] 76/11 80/9 access [11] 39/15 40/10 41/21 42/1</p>	<p>82/11 82/14 82/15 88/23 91/20 91/25 92/2</p> <p>accessory [1] 81/9 accident [1] 57/4 accompanied [1] 86/17 according [1] 104/12 account [1] 79/8 accounts [2] 99/11 102/14 accuracy [2] 100/1 103/7 accurate [2] 40/25 52/21 across [1] 61/15 act [2] 84/8 86/23 acted [1] 96/21 acting [1] 15/1 action [5] 28/1 29/16 84/18 86/22 91/14 actions [1] 66/13 activities [4] 7/21 8/18 24/15 33/21 activity [31] 8/8 14/2 21/7 51/7 51/8 51/12 59/5 59/24 60/21 61/1 61/12 63/16 64/11 64/19 64/20 65/15 65/19 68/7 68/18 68/24 69/22 89/8 89/9 89/12 89/13 92/16 92/18 93/5 93/6 93/14 93/17 acts [10] 49/12 64/8 84/11 84/16 86/8 86/21 96/11 96/13 96/18 96/20 actual [7] 13/12 19/22 94/23 95/4 95/5 95/11 95/18 ADAM [30] 1/9 7/11 7/24 10/1 10/3 10/5 13/14 14/1 20/4 24/22 24/23 24/25 27/20 27/24 28/4 28/12 28/22 29/7 29/12 29/21 30/17 31/6 31/9 31/19 31/20 34/8 34/9 51/22 53/4 53/7 Adam Kazal [1] 28/4 Adam's [1] 26/8 adapt [1] 89/18 add [4] 60/11 61/9 68/12 70/8 adding [1] 61/8 addition [3] 77/6 83/24 94/25 additional [1] 81/17 address [1] 54/19 addressed [1] 66/4 adequate [1] 95/6 adjourned [1] 105/19 ADMIT [1] 3/13 admitted [6] 3/13 13/9 13/10 30/13 30/14 40/17 advance [3] 49/22</p>	<p>60/8 94/1 advantage [1] 87/2 advise [1] 104/13 affinity [1] 83/10 affirmative [3] 57/8 75/21 75/23 after [13] 17/22 18/13 21/7 29/9 30/21 43/11 60/16 74/18 88/3 98/6 98/10 101/6 104/10 afternoon [4] 4/6 5/5 23/11 37/9 afterwards [2] 16/20 62/7 again [13] 11/19 13/12 34/20 44/22 48/16 50/4 56/23 58/16 61/12 70/2 71/5 73/6 74/5 against [2] 28/2 87/5 aggressive [1] 15/1 ago [7] 6/15 8/12 27/4 34/4 39/17 43/8 46/19 agree [4] 62/9 64/17 69/1 75/5 agreed [1] 76/9 agreement [18] 9/14 9/17 9/20 9/22 10/15 11/6 11/7 11/18 12/9 12/14 25/9 27/9 35/8 46/3 49/3 73/1 98/3 104/11 ahead [7] 18/19 18/23 22/8 50/25 54/20 64/23 72/23 alarm [2] 64/1 82/24 alarms [2] 67/12 85/3 allegations [3] 8/18 8/20 83/2 alleged [2] 50/15 97/22 allow [4] 36/12 48/18 68/10 69/2 allows [2] 82/15 89/22 almost [1] 62/22 alone [1] 52/23 along [3] 25/10 42/10 70/8 already [5] 15/9 18/18 30/10 40/17 71/7 alter [1] 82/13 although [4] 50/11 53/18 102/5 102/15 always [3] 14/23 70/23 78/24 amend [1] 70/4 amended [1] 55/13 Amendment [3] 49/21 51/5 51/10 American [1] 50/7 among [1] 40/9 amount [10] 46/17 46/20 73/3 85/15 86/12 94/14 95/5 95/9 95/12 95/24 Anaheim [2] 5/21 5/22 analyst [1] 9/15 and/or [2] 89/2 89/19</p>
---	---	---	---	--

<p>A</p> <p>ANDRÉ [1] 1/3</p> <p>ANGELES [4] 1/17 1/24 2/13 4/1</p> <p>animosity [1] 46/18</p> <p>annoys [2] 67/12 85/3</p> <p>another [12] 11/5 11/7 17/17 18/15 32/17 36/3 41/14 71/13 77/18 89/6 89/11 93/4</p> <p>answer [6] 31/4 44/9 49/13 61/14 78/7 101/4</p> <p>answered [3] 57/7 78/3 78/5</p> <p>answering [1] 101/2</p> <p>answers [5] 79/23 80/18 80/23 80/25 81/3</p> <p>anticipate [1] 74/16</p> <p>Antonello [3] 34/20 36/19 37/4</p> <p>apologize [3] 14/24 69/5 74/6</p> <p>apparent [1] 84/22</p> <p>appear [3] 20/24 40/22 58/11</p> <p>APPEARANCES [1] 2/1</p> <p>appeared [2] 43/14 97/18</p> <p>appearing [3] 5/6 19/14 37/10</p> <p>appears [1] 42/2</p> <p>applicable [1] 97/7</p> <p>application [1] 99/2</p> <p>applies [5] 74/24 99/4 101/14 101/25 102/2</p> <p>apply [4] 50/2 71/1 75/3 76/2</p> <p>appreciate [2] 57/15 67/20</p> <p>approached [6] 17/18 21/4 22/10 22/15 99/7 102/8</p> <p>architectural [1] 87/17</p> <p>area [5] 18/3 18/9 19/4 20/12 20/20</p> <p>arguably [1] 63/6</p> <p>argue [5] 49/14 60/19 63/15 71/21 74/18</p> <p>argument [8] 46/22 49/6 49/20 69/18 69/25 70/2 72/17 73/19</p> <p>argumentative [1] 47/7</p> <p>arguments [6] 53/15 54/3 74/14 76/17 76/19 104/18</p> <p>armed [1] 62/1</p> <p>around [4] 8/4 33/11 52/5 65/9</p> <p>arrange [1] 20/23</p> <p>arranged [2] 21/2 21/3</p> <p>arranging [1] 21/1</p> <p>arriving [1] 16/9</p>	<p>art [1] 67/23</p> <p>artwork [1] 27/13</p> <p>asked [16] 6/19 7/23 8/17 8/21 17/19 28/6 31/15 32/21 34/4 43/8 49/10 55/21 57/1 71/10 99/6 102/8</p> <p>asking [6] 7/20 8/1 16/22 44/23 55/24 67/2</p> <p>asks [2] 60/25 77/24</p> <p>aspect [1] 82/6</p> <p>asserts [3] 75/16 75/17 96/23</p> <p>assist [1] 104/5</p> <p>assisted [1] 38/13</p> <p>assume [5] 15/22 33/12 35/25 60/19 67/25</p> <p>assuring [1] 81/25</p> <p>attaches [1] 87/24</p> <p>attempt [3] 82/13 98/8 100/22</p> <p>attempting [1] 81/21</p> <p>attention [1] 39/1</p> <p>attributable [2] 52/17 95/1</p> <p>audio [1] 87/16</p> <p>audio-visual [1] 87/16</p> <p>August [1] 38/6</p> <p>August 2017 [1] 38/6</p> <p>Australia [2] 28/2 33/18</p> <p>author [4] 89/22 90/1 90/22 91/12</p> <p>author's [1] 89/24</p> <p>authorities [1] 49/24</p> <p>authority [2] 87/1 89/3</p> <p>authorized [2] 56/16 91/10</p> <p>automatically [1] 87/23</p> <p>available [1] 81/9</p> <p>avoid [2] 55/14 78/20</p> <p>avoids [1] 68/25</p> <p>award [8] 86/3 86/6 86/13 95/18 95/19 95/24 96/2 96/4</p> <p>awarded [2] 86/9 86/12</p> <p>awarded to [1] 86/9</p> <p>aware [9] 10/10 19/24 25/4 27/21 29/7 35/9 38/23 96/11 97/11</p> <p>away [9] 17/21 20/19 32/23 32/25 33/1 39/22 42/16 99/22 103/2</p> <p>B</p> <p>back [24] 17/23 19/23 22/11 22/13 28/18 32/13 42/22 43/18 43/24 47/3 48/15 48/21 49/15 53/23 56/1 67/3 71/3 71/13 71/20 72/14 72/16 73/18 74/7 74/12</p>	<p>back and forth [1] 19/23</p> <p>bad [2] 71/19 73/17</p> <p>bailliff [2] 81/24 104/14</p> <p>ballpark [2] 24/16 24/17</p> <p>BANI [1] 2/12</p> <p>BANI-ESRAILI [1] 2/12</p> <p>bankrupt [1] 24/25</p> <p>banner [1] 52/16</p> <p>banners [1] 51/23</p> <p>barred [2] 58/10 97/16</p> <p>base [3] 44/3 75/24 98/16</p> <p>based [10] 58/8 67/19 86/3 89/18 97/1 97/15 100/9 101/12 103/14 103/25</p> <p>basically [2] 17/20 44/3</p> <p>basis [1] 70/1</p> <p>be 2014 [1] 58/12</p> <p>Beach [1] 38/19</p> <p>bear [2] 59/8 79/20</p> <p>became [2] 27/2 78/13</p> <p>become [1] 38/23</p> <p>becomes [1] 100/19</p> <p>before [16] 4/17 7/19 9/10 15/23 26/4 36/23 37/15 57/1 61/16 75/8 80/16 81/1 92/3 97/24 101/2 105/6</p> <p>begin [6] 49/6 74/15 74/17 74/19 97/24 104/18</p> <p>beginning [2] 22/13 74/7</p> <p>begins [1] 97/5</p> <p>behalf [5] 21/5 22/10 22/16 23/14 64/21</p> <p>behest [1] 30/17</p> <p>behind [3] 19/21 24/20 51/6</p> <p>belief [2] 8/1 98/15</p> <p>believability [1] 79/20</p> <p>believable [2] 66/23 80/13</p> <p>believe [34] 9/4 10/2 14/4 15/8 15/9 15/21 17/6 17/7 17/15 18/18 21/10 23/21 27/1 27/3 27/18 30/10 31/22 36/5 36/5 56/15 62/16 62/23 64/25 65/23 68/16 69/14 69/20 77/1 79/4 79/5 79/5 80/6 96/13 105/8</p> <p>believes [1] 69/10</p> <p>bench [1] 78/15</p> <p>benefited [1] 92/15</p> <p>BENJAMIN [1] 2/12</p> <p>best [3] 44/8 44/17 104/20</p> <p>bet [1] 27/7</p> <p>between [7] 9/22 29/3</p>	<p>77/20 87/22 88/24 91/21 92/7</p> <p>BEVERLY [1] 2/8</p> <p>beyond [1] 35/11</p> <p>bias [1] 79/15</p> <p>bifurcating [1] 72/25</p> <p>big [2] 6/4 41/7</p> <p>Bill [1] 13/14</p> <p>binder [4] 9/5 10/18 12/17 30/1</p> <p>BIROTTE [1] 1/3</p> <p>bit [3] 41/17 42/11 51/24</p> <p>blindness [1] 96/22</p> <p>blog [2] 99/1 101/23</p> <p>blue [1] 42/6</p> <p>bode [1] 50/13</p> <p>boring [2] 32/10 32/13</p> <p>boss [2] 38/3 38/4</p> <p>both [15] 14/10 14/12 50/18 53/15 53/18 64/17 68/10 73/7 73/8 77/19 90/13 93/20 93/22 96/9 96/16</p> <p>bottom [2] 60/16 70/16</p> <p>BOULEVARD [1] 2/8</p> <p>box [1] 53/20</p> <p>breach [1] 61/17</p> <p>break [3] 48/12 48/14 49/23</p> <p>brief [4] 18/15 40/16 49/22 75/15</p> <p>briefing [1] 16/25</p> <p>briefly [5] 33/12 34/24 35/13 64/24 72/24</p> <p>bring [6] 57/12 71/13 72/14 73/16 97/3 105/6</p> <p>brother [1] 26/8</p> <p>brothers [2] 33/16 52/18</p> <p>brought [3] 62/4 97/5 97/13</p> <p>Brown [22] 6/11 6/16 7/14 7/21 8/4 9/22 10/7 11/15 11/16 11/17 12/9 21/3 23/23 23/25 25/6 25/20 26/3 27/6 27/8 29/11 33/4 33/15</p> <p>building [1] 46/23</p> <p>bulls [1] 52/14</p> <p>burden [12] 75/18 75/20 85/14 86/10 88/10 90/9 91/16 91/23 92/11 93/11 94/6 97/19</p> <p>bury [1] 22/18</p> <p>business [4] 5/20 27/17 29/24 43/12</p> <p>businessman [1] 46/12</p> <p>buy [1] 27/5</p> <p>buyer [1] 95/9</p> <p>C</p> <p>CACI [8] 65/1 65/3</p>	<p>65/10 65/17 66/5 66/15 66/17 66/20</p> <p>calculation [1] 72/25</p> <p>CALIFORNIA [13] 1/2 1/17 1/24 2/4 2/8 2/13 4/1 5/17 6/17 7/21 16/4 16/16 31/17</p> <p>call [8] 4/8 34/17</p> <p>binder [4] 34/20 43/25 44/2 45/23 48/2 48/8</p> <p>called [7] 17/14 26/9 26/13 44/3 44/24 45/12 94/2</p> <p>calling [1] 78/16</p> <p>calls [5] 4/10 21/15 21/19 22/1 44/9</p> <p>came [2] 10/6 33/9</p> <p>camera [2] 39/3 39/10</p> <p>can all [1] 6/2</p> <p>capable [1] 81/6</p> <p>capacity [1] 6/5</p> <p>captures [1] 23/21</p> <p>car [3] 26/21 51/25 52/5</p> <p>card [1] 7/10</p> <p>care [3] 25/1 28/4 28/5</p> <p>carried [2] 31/23 31/25</p> <p>Carroll [1] 47/14</p> <p>carry [1] 84/23</p> <p>cars [3] 17/16 40/3 41/12</p> <p>cases [2] 50/1 51/2</p> <p>catch [1] 69/6</p> <p>caught [1] 23/17</p> <p>cause [8] 4/17 36/23 67/15 67/17 83/15 84/23 85/5 85/6</p> <p>caused [2] 85/17 95/7</p> <p>cc'd [3] 10/12 10/13 11/12</p> <p>CCRR [1] 1/23</p> <p>cease [5] 30/16 45/25 46/5 46/9 83/25</p> <p>CENTRAL [1] 1/2</p> <p>CENTURY [1] 2/13</p> <p>certain [10] 7/20 31/7 31/10 39/14 58/9 76/14 77/8 78/19 88/5 97/15</p> <p>Certainly [1] 35/15</p> <p>certificate [3] 88/7 90/23 106/1</p> <p>certificates [2] 90/25 91/2</p> <p>certify [1] 106/3</p> <p>cetera [1] 49/12</p> <p>challenge [1] 36/1</p> <p>chambers [1] 56/1</p> <p>chance [5] 49/25 51/2 54/11 61/24 74/18</p> <p>change [6] 55/24 56/21 65/14 73/15 98/11 98/15</p> <p>changed [2] 29/15 65/5</p> <p>chanting [1] 42/25</p>
---	--	--	---	--

C	clue [1] 28/11	55/10 55/14 56/9	consist [1] 76/5	88/7 88/12 89/4 89/4
character [1] 94/10	cmjui.csr [1] 1/25	61/25	constitute [1] 96/13	89/4 89/6 89/10 89/15
charge [1] 24/14	co [1] 35/2	concerning [1] 100/24	constitutes [4] 88/4	89/22 90/1 90/6 90/7
CHARIF [5] 1/8 7/18	co-counsel [1] 35/2	concerns [1] 36/11	96/7 96/7 96/12	90/8 90/10 90/18
53/5 56/22 57/2	Coca [2] 52/4 52/5	conclude [1] 95/25	constitutionally [20]	90/19 90/23 90/24
chart [3] 55/2 55/21	Coca-Cola.com [2]	concluded [2] 55/3	51/12 51/15 59/4	91/1 91/1 91/3 91/4
57/11	52/4 52/5	105/20	59/24 60/20 61/1	91/13 91/13 91/15
chat [2] 99/1 101/23	code [6] 61/20 62/2	concludes [1] 104/15	61/12 63/16 63/21	92/9 92/11 92/25 93/3
check [1] 50/3	62/23 67/24 84/7	conclusion [3] 59/19	64/10 64/18 64/20	93/8 93/10 93/19
checked [1] 43/17	106/4	60/10 104/9	65/15 65/19 68/7	93/24 94/1 94/2 94/3
CHIA [3] 1/23 106/14	Cola.com [2] 52/4	conduct [57] 6/16	68/17 68/24 69/13	94/21 95/3 95/6 95/16
106/15	52/5	23/14 48/19 51/4	69/17 69/22	95/23 96/12 96/14
child [1] 83/9	collect [1] 13/19	59/17 59/20 59/22	consult [2] 75/1 101/1	96/19 96/21 96/22
choose [2] 55/16 80/6	column [3] 55/7 55/12	59/25 60/7 60/9 60/12	consulting [2] 99/12	96/24 97/11
choreographic [1]	56/19	60/12 60/17 61/7 63/7	102/17	copyrightable [1]
87/15	Column 2 [1] 55/7	63/22 64/1 64/1 64/7	contact [10] 11/21	88/4
circle [1] 41/8	columns [1] 56/5	64/8 64/12 64/15	11/21 30/20 44/7 46/8	copyrighted [30]
Circuit [1] 50/1	combination [1] 84/20	65/11 65/18 66/2	46/10 47/12 47/16	87/13 87/20 87/20
circulate [1] 14/19	comfortable [1] 70/3	66/11 66/12 66/22	99/9 102/11	87/22 88/2 88/13
circumstances [4]	coming [4] 32/11	67/8 67/11 67/15	contacted [2] 10/2	88/16 88/18 88/19
84/3 86/19 93/25	34/15 40/4 41/22	67/22 68/1 68/8 68/13	45/9	88/21 88/23 88/25
97/12	commentary [2]	68/16 68/19 69/19	contained [1] 90/2	89/2 89/17 89/19
circumstantial [3]	99/11 102/14	70/9 82/24 83/4 83/12	contempt [1] 29/8	89/20 89/25 90/6
77/14 77/17 77/21	comments [3] 49/18	83/15 83/19 84/1 84/2	contends [2] 88/9	90/12 91/17 91/20
circus [1] 46/15	56/10 71/2	84/10 84/10 84/16	94/5	93/24 94/4 94/5 94/13
citizens [1] 51/10	commercial [1] 94/11	84/22 85/2 85/4 86/14	context [2] 50/16	94/15 94/17 95/7 95/9
Civil [4] 61/20 62/23	commission [2] 45/20	86/16 86/18 97/1	50/23	97/6
67/24 84/7	47/3	101/8	continuation [1]	copyrights [4] 87/5
Civil Code [2] 61/20	committed [1] 57/3	conducted [1] 8/7	11/10	87/7 88/6 88/10
67/24	communicate [8] 10/9	cone [1] 41/18	continue [2] 18/12	cordial [1] 19/18
claim [19] 36/2 50/21	98/21 98/22 100/20	confer [1] 55/22	101/3	correction [2] 62/10
51/21 53/17 53/18	100/22 100/23 101/18	conference [4] 78/15	continued [1] 17/25	62/14
58/2 58/6 60/17 70/14	101/19	78/24 79/1 106/8	continuity [2] 64/10	correspondence [1]
75/16 75/17 75/20	communicated [2]	conferences [2] 78/18	84/12	27/20
75/22 85/13 90/8	84/14 84/21	78/23	contract [2] 10/4	corroborating [1]
94/22 95/16 97/14	communicating [3]	confidentiality [2]	61/17	83/3
97/14	99/4 101/25 102/2	35/8 46/3	contracting [1] 26/12	counsel [14] 2/1 8/13
claims [5] 58/8 75/19	communication [5]	conformance [1]	contradicted [1]	10/20 22/2 24/6 34/4
75/19 87/4 96/25	10/6 63/8 84/3 84/15	106/7	79/16	35/2 35/5 35/15 49/21
clarification [2] 9/25	100/4	confuse [1] 69/21	contrary [1] 51/9	49/24 51/3 72/20
54/18	communications [2]	confused [2] 14/23	contributed [2] 93/6	105/4
clarify [2] 8/6 44/15	31/18 103/10	63/3	93/16	count [1] 101/6
clear [12] 12/8 16/22	company [7] 10/16	confusing [2] 55/5	contributes [1] 89/8	Counterintelligence
29/6 33/3 34/6 51/11	12/24 17/19 26/13	59/15	contributorily [2] 89/5	[1] 51/7
55/20 56/4 56/6 56/10	33/11 36/9 36/11	confusion [2] 55/11	93/9	country [1] 51/6
57/12 73/7	compensate [4] 85/16	55/14	control [3] 77/23	couple [5] 6/15 17/15
clearly [2] 55/6 83/25	86/9 95/6 95/21	confusions [1] 78/21	89/13 92/18	27/21 49/1 49/18
clerk [3] 81/17 81/19	complaint [1] 28/15	Congress [1] 95/20	controls [1] 76/23	course [11] 7/20 38/3
100/21	complete [3] 86/20	conjecture [1] 86/4	conversation [2]	39/9 51/2 67/11 67/14
clerks [1] 49/2	103/11 104/12	conjunction [1] 57/10	32/16 43/7	78/22 85/1 85/4 98/9
client [9] 10/14 11/18	completed [1] 101/11	connected [1] 48/20	conversed [1] 17/22	101/16
24/19 25/10 35/25	completely [1] 8/9	consanguinity [1]	coordinate [1] 33/20	Court's [2] 70/4 77/3
46/20 46/21 46/22	completing [1] 88/1	83/9	coordinated [1] 6/14	cover [1] 28/3
46/24	complicated [1] 61/18	conscientious [1]	copied [7] 25/17	covered [2] 28/20
clients [2] 38/13	complied [1] 8/22	98/10	88/12 88/20 88/22	87/12
76/25	comply [2] 28/7 39/8	consent [1] 93/25	90/11 91/17 91/18	covert [3] 7/3 8/7 8/9
clip [2] 18/15 40/17	complying [1] 29/14	consider [16] 50/23	copies [5] 73/15	covertly [1] 15/18
clips [2] 19/13 23/17	composed [1] 84/10	76/4 76/13 76/15 77/8	73/20 74/20 89/17	coward [1] 46/12
close [2] 39/19 39/21	comprised [1] 64/8	77/9 77/18 78/12	90/5	create [2] 28/19 91/9
closely [1] 87/21	computer [11] 81/8	78/25 80/1 80/19 81/3	copy [8] 54/8 59/7	created [1] 92/4
closest [1] 39/23	81/12 81/13 81/18	85/18 88/20 94/9	74/9 74/25 81/15 88/2	creation [1] 38/11
closing [17] 49/2 49/6	82/7 82/9 82/11 82/14	102/13	89/15 89/16	creative [2] 38/9 92/7
54/8 54/14 62/12	82/15 82/17 87/17	consideration [1]	copying [4] 87/23	creator [1] 90/22
62/17 71/22 72/17	concept [1] 90/4	74/22	89/23 90/2 91/5	credible [17] 61/10
73/18 74/14 74/19	concepts [1] 87/19	considered [7] 50/15	copyright [61] 51/21	63/7 63/18 64/16
76/19 104/18 105/7	concern [3] 56/22	53/15 77/6 91/12 96/8	52/3 52/7 53/17 57/3	65/11 65/21 65/23
105/9 105/14 105/16	56/23 59/13	96/15 98/6	75/16 87/6 87/9 87/12	66/19 67/22 68/2
clown [1] 46/14	concerned [5] 55/4	considering [1] 79/7	87/23 87/25 88/1 88/3	68/13 68/22 69/10

<p>C</p> <p>credible... [4] 69/15 70/9 83/19 84/13</p> <p>credit [1] 7/10</p> <p>crew [1] 14/8</p> <p>criminal [1] 29/7</p> <p>cross [7] 3/6 3/9 23/7 23/9 45/5 45/6 57/14</p> <p>CROSS-EXAMINATION [6] 3/6 3/9 23/7 23/9 45/5 45/6</p> <p>Crowds [2] 26/10 26/13</p> <p>CSR [2] 1/23 106/15</p> <p>curious [1] 19/19</p> <p>current [1] 44/4</p> <p>customer [1] 13/24</p> <p>CV [1] 1/7</p>	<p>decide [14] 52/20 75/7 76/1 77/12 77/21 78/19 79/4 80/2 80/4 98/5 100/9 101/10 101/12 103/14</p> <p>decided [3] 47/5 99/24 103/5</p> <p>deciding [4] 76/4 76/16 78/11 79/3</p> <p>decision [6] 53/20 75/24 98/11 98/12 98/14 103/25</p> <p>defendant [37] 51/22 66/23 69/15 82/23 83/18 83/25 84/1 84/5 84/17 85/18 86/8 86/21 86/24 88/12 88/23 90/11 90/17 91/16 91/20 93/3 93/13 93/15 93/23 94/4 94/5 94/6 94/18 94/19 94/21 95/1 95/11 96/9 96/11 96/18 96/20 96/21 96/23</p> <p>defendants [30] 1/10 2/10 37/17 58/2 58/6 64/21 75/19 82/20 87/5 87/6 88/9 88/21 91/18 91/25 92/1 92/2 92/8 92/10 92/14 92/15 92/17 92/20 93/2 93/7 93/9 96/13 97/6 97/14 97/18 97/20</p> <p>defendants' [9] 3/4 86/14 88/17 88/19 88/25 91/22 92/4 92/5 95/14</p> <p>defense [10] 4/9 34/20 48/6 50/14 62/16 75/21 75/23 94/7 96/23 97/19</p> <p>defined [7] 59/20 59/20 61/21 63/23 67/6 67/7 67/9</p> <p>defines [3] 59/16 61/9 63/5</p> <p>definition [14] 59/17 60/4 60/9 63/1 63/25 64/15 65/18 65/21 66/11 66/24 68/12 68/16 68/24 71/4</p> <p>definitions [6] 61/10 61/20 62/2 65/10 66/7 68/4</p> <p>definitively [1] 83/25</p> <p>degree [1] 83/10</p> <p>delays [1] 74/6</p> <p>deliberate [3] 49/15 56/13 82/2</p> <p>deliberately [1] 80/5</p> <p>deliberating [1] 74/17</p> <p>deliberation [3] 74/15 102/2 104/20</p> <p>deliberations [10] 75/1 97/24 98/1 98/21 100/19 101/3 101/11</p>	<p>demand [3] 26/10 26/13 84/4</p> <p>demanding [1] 83/25</p> <p>demanding [2] 45/20 47/2</p> <p>demonstrates [1] 24/9</p> <p>denied [2] 100/10 103/15</p> <p>deny [3] 53/16 75/19 87/6</p> <p>denying [1] 78/25</p> <p>department [2] 38/11 38/14</p> <p>depend [1] 80/12</p> <p>depict [2] 19/3 20/11</p> <p>depiction [1] 40/25</p> <p>depicts [1] 16/8</p> <p>deployed [1] 7/1</p> <p>deposited [1] 88/4</p> <p>depositing [1] 88/2</p> <p>deposition [2] 80/15 80/20</p> <p>deputy [3] 17/10 20/17 53/24</p> <p>derivative [3] 87/12 89/2 89/18</p> <p>describe [5] 14/13 15/16 16/8 16/17 82/4</p> <p>described [4] 7/21 43/7 51/3 84/8</p> <p>describing [2] 20/15 41/1</p> <p>deserves [1] 80/14</p> <p>designed [2] 28/24 29/1</p> <p>desist [3] 45/25 46/6 46/9</p> <p>destroy [1] 22/17</p> <p>destroyed [1] 104/9</p> <p>detail [2] 46/5 46/9</p> <p>deter [2] 86/8 95/23</p> <p>determine [7] 60/23 85/13 86/1 92/10 93/8 94/22 95/16</p> <p>determining [3] 88/3 88/18 94/8</p> <p>device [3] 63/8 84/15 84/18</p> <p>devices [2] 99/17 102/22</p> <p>DIANE [1] 2/12</p> <p>dictated [1] 71/24</p> <p>dictionaries [2] 99/12 102/17</p> <p>differ [1] 76/22</p> <p>difference [1] 29/3</p> <p>differences [1] 80/2</p> <p>different [4] 50/9 59/16 79/23 79/23</p> <p>differently [1] 80/1</p> <p>differs [1] 80/3</p> <p>difficult [1] 68/6</p> <p>difficulty [1] 64/25</p> <p>diligently [1] 98/2</p> <p>direct [17] 3/6 3/8 5/3 25/2 27/20 37/7 52/1</p>	<p>77/14 77/14 77/15 77/20 92/16 92/19 92/24 93/14 93/16 93/18</p> <p>directed [3] 14/3 67/11 85/2</p> <p>direction [1] 82/10</p> <p>directives [1] 10/6</p> <p>directly [10] 9/16 10/6 10/9 24/21 62/17 62/19 63/12 84/17 89/11 92/15</p> <p>directory [1] 82/12</p> <p>dirty [1] 22/22</p> <p>disability [1] 87/2</p> <p>discharged [1] 101/7</p> <p>discover [1] 82/15</p> <p>discoveries [2] 87/19 90/4</p> <p>discuss [6] 16/20 34/24 81/21 82/6 99/9 102/10</p> <p>discussed [6] 81/25 98/7 99/16 99/18 102/21 102/23</p> <p>discussing [3] 98/20 98/24 101/21</p> <p>discussion [2] 16/18 61/13</p> <p>disgruntled [1] 35/6</p> <p>dislikes [1] 75/6</p> <p>display [1] 89/19</p> <p>displayed [1] 81/6</p> <p>displaying [1] 87/11</p> <p>displays [1] 89/2</p> <p>dispute [2] 29/24 49/9</p> <p>disputes [1] 53/17</p> <p>disregard [6] 77/5 78/10 83/22 86/15 86/18 96/21</p> <p>distinction [1] 77/19</p> <p>distress [6] 67/17 67/18 83/15 83/16 85/6 85/7</p> <p>distributes [1] 89/1</p> <p>distributing [1] 87/11</p> <p>DISTRICT [3] 1/1 1/2 1/3</p> <p>DIVISION [1] 1/2</p> <p>document [9] 7/4 9/10 9/24 10/1 11/2 12/18 13/4 25/16 55/19</p> <p>documented [1] 32/8</p> <p>documenting [1] 39/25</p> <p>documents [2] 8/17 54/12</p> <p>dog [1] 19/25</p> <p>door [1] 41/25</p> <p>dot [1] 57/13</p> <p>double [1] 50/3</p> <p>double-check [1] 50/3</p> <p>down [6] 14/16 34/14 40/12 43/16 48/1 54/2</p> <p>draft [4] 30/3 30/5 49/8 58/17</p> <p>dramatic [1] 87/14</p> <p>drive [5] 31/6 31/10</p>	<p>41/12 41/23 52/5</p> <p>drop [1] 6/1</p> <p>drove [4] 27/14 27/15 27/17 27/18</p> <p>duly [2] 4/14 36/20</p> <p>during [16] 26/24 34/24 38/15 39/24 49/22 75/1 78/13 89/3 90/6 98/21 99/18 100/19 101/16 102/23 103/24 104/2</p> <p>duty [6] 62/18 74/24 75/2 76/25 85/8 101/16</p> <p>E</p> <p>e-mail [14] 9/11 9/13 10/12 11/12 11/14 12/5 13/20 25/17 27/24 28/12 45/14 45/19 98/25 101/22</p> <p>e-mailed [1] 13/2</p> <p>e-mails [3] 9/2 10/14 44/9</p> <p>each [21] 5/9 29/25 37/13 52/13 54/3 76/1 80/17 92/12 92/22 93/11 95/20 95/25 96/2 96/4 98/5 98/9 99/23 100/8 103/4 103/13 105/9</p> <p>earlier [5] 20/18 27/3 56/22 102/5 103/4</p> <p>early [1] 21/10</p> <p>easier [1] 61/16</p> <p>easily [1] 70/22</p> <p>EAST [1] 2/13</p> <p>edited [1] 20/8</p> <p>editor [2] 37/21 38/9</p> <p>educational [1] 94/12</p> <p>effect [3] 31/9 94/16 98/15</p> <p>effort [2] 24/10 64/23</p> <p>egotistical [1] 45/17</p> <p>eight [3] 37/23 53/19 55/12</p> <p>eighth [1] 56/19</p> <p>either [16] 17/14 20/24 30/20 54/14 69/11 71/21 71/23 71/25 77/20 78/15 83/5 83/20 86/5 90/16 93/22 105/6</p> <p>elaborate [1] 6/25</p> <p>elect [1] 97/24</p> <p>electronic [5] 63/8 82/18 84/15 98/25 101/22</p> <p>electronically [2] 81/6 84/21</p> <p>element [2] 63/16 83/1</p> <p>elements [16] 60/16 63/14 65/5 82/22 90/14 90/16 91/17 91/22 92/12 92/23 93/1 93/12 93/20 93/22 96/10 96/16</p>
--	---	--	---	---

E	30/9 30/10 30/14 40/17 53/3 53/7 61/25 74/22 74/23 75/3 75/8 75/12 75/14 75/21 75/22 75/25 76/4 76/8 76/14 76/15 76/18 76/20 76/21 76/25 77/2 77/5 77/6 77/8 77/9 77/12 77/13 77/14 77/15 77/17 77/19 77/21 77/22 77/23 77/24 77/25 78/2 78/9 78/11 78/12 78/19 78/20 79/16 79/19 80/11 80/23 81/5 81/15 81/16 82/8 83/3 85/15 86/3 86/11 87/7 88/11 88/14 88/15 90/9 90/21 90/24 91/19 91/25 92/13 93/12 94/7 94/19 95/3 96/10 96/17 97/21 98/7 98/12 98/16 98/17 99/24 101/13 102/12 103/5 103/25 104/5 evidencing [2] 64/9 84/12 exact [2] 41/3 61/16 exactly [2] 14/6 65/12 examination [12] 3/6 3/6 3/7 3/8 3/9 5/3 23/7 23/9 34/1 37/7 45/5 45/6 example [5] 51/22 53/1 55/7 57/1 69/9 except [3] 98/20 100/22 100/24 exception [1] 32/11 excerpt [2] 15/6 40/16 exclude [3] 87/10 91/4 91/14 excluded [1] 77/4 exclusive [2] 89/15 89/16 excuse [1] 12/5 excused [3] 47/23 99/21 103/1 executive [1] 31/16 exercise [1] 92/20 Exhibit 14 [2] 12/16 13/6 Exhibit 20 [4] 10/19 10/22 11/4 25/8 Exhibit 28 [1] 23/19 Exhibit 29 [1] 30/1 Exhibit 44 [1] 15/8 Exhibit 5 [1] 9/7 exhibits [11] 3/12 3/13 30/9 76/7 76/14 81/5 81/13 81/13 81/14 82/8 90/25 Exhibits 23 [1] 90/25 Exhibits 28 [1] 30/9 exigent [1] 84/2 exists [1] 92/6 expect [2] 29/15 102/7	expected [1] 50/19 experience [2] 35/20 85/20 experienced [3] 85/21 85/24 85/25 explain [5] 33/20 33/22 56/4 56/7 87/8 explained [1] 56/7 exposed [4] 98/18 100/17 101/15 103/22 express [1] 48/16 expression [6] 87/25 88/13 89/24 89/25 90/5 90/11 expressions [1] 92/8 extent [3] 56/7 63/15 85/19 extra [1] 56/8 extreme [1] 53/1	58/11 97/17 February 2nd, 2017 [1] 97/14 February 5th, 2015 [1] 38/6 federal [2] 1/23 86/23 Feels [1] 47/17 fees [1] 95/13 feet [3] 39/22 39/23 42/16 fellow [4] 98/20 101/11 102/1 104/7 felt [2] 7/22 39/9 female [1] 32/17 fence [3] 39/5 39/11 40/13 few [7] 17/22 34/4 39/14 42/16 43/7 54/17 101/8 Fifteen [1] 24/18 fight [1] 54/1 figure [1] 56/1 filing [2] 50/5 97/10 film [6] 37/21 37/22 38/9 38/10 38/12 39/10 filmed [1] 15/25 filming [1] 39/19 finalized [1] 72/15 finally [1] 48/17 financially [1] 92/15 find [23] 9/3 45/2 55/17 75/2 77/18 85/12 85/17 86/5 86/13 90/13 90/15 92/1 92/8 92/22 92/24 93/7 93/18 93/19 94/18 94/21 95/15 96/1 96/3 fine [4] 24/17 55/24 56/21 69/4 finished [2] 11/10 33/1 firm [2] 2/11 6/16 first [16] 1/24 4/14 5/10 11/9 36/20 41/24 49/11 49/21 51/5 51/10 54/24 55/17 63/7 72/3 97/5 101/9 First Amendment [3] 49/21 51/5 51/10 fit [2] 23/22 72/8 five [4] 39/22 43/16 61/20 63/9 five feet [1] 39/22 fixed [1] 87/24 flattering [1] 24/3 focusing [1] 50/19 follow [8] 64/1 75/4 75/14 82/24 100/12 100/12 103/17 103/17 followed [2] 8/4 8/6 following [18] 4/4 8/10 22/7 23/4 35/4 36/17 48/24 74/3 82/21 83/5 83/17 85/18 92/12 93/12 94/9 96/9 96/16 105/1	follows [5] 4/15 36/21 57/11 63/9 84/18 foot [1] 41/22 footage [5] 15/25 16/5 20/7 39/17 39/18 foregoing [1] 106/4 foreperson [1] 81/20 forget [1] 79/24 form [21] 48/16 49/5 49/7 54/1 54/9 54/9 54/23 54/24 55/2 55/6 56/9 56/12 56/17 57/18 62/10 70/14 81/7 88/1 101/25 104/10 104/12 formal [1] 88/5 format [1] 106/7 former [1] 35/6 forms [2] 54/14 99/4 forth [1] 19/23 Forty [1] 57/24 Forty-one [1] 57/24 forward [2] 23/25 30/19 forwarded [1] 23/23 found [1] 29/7 four [4] 21/11 39/23 61/20 63/8 four feet [1] 39/23 four-ish [1] 21/11 Fourteen [1] 13/9 frame [1] 19/3 framed [1] 57/5 fraud [1] 70/18 freeze [1] 51/14 Friday [2] 28/17 38/21 friend [1] 27/12 front [4] 17/13 40/22 64/4 71/11 fuck [1] 45/16 Fuentes [3] 9/15 11/14 25/20 full [6] 38/15 38/17 38/17 46/5 46/9 59/7 fully [2] 70/22 98/7 function [1] 52/15 funds [2] 24/22 24/23 further [15] 23/6 28/16 33/23 34/10 34/13 45/4 46/7 47/18 47/21 48/4 49/16 53/11 57/9 69/21 73/21 future [5] 47/1 85/22 85/25 86/8 95/23
			G	
			gain [4] 40/10 41/21 100/3 103/10 game [1] 82/13 Gardener [1] 21/24 gate [6] 41/1 41/6 41/12 41/14 41/14 41/15 gates [2] 38/24 43/21 gave [2] 27/7 105/8 GEBELIN [4] 2/7 2/7 64/22 73/21	

<p>G</p> <p>general [1] 23/17</p> <p>generated [3] 9/14 12/23 13/18</p> <p>gentlemen [3] 4/7 48/11 74/5</p> <p>getting [2] 7/5 41/24</p> <p>give [17] 4/17 16/24 35/13 36/23 49/8 53/24 53/25 56/16 71/19 73/17 75/4 75/4 75/14 77/22 79/23 90/1 102/1</p> <p>given [3] 11/5 77/20 80/25</p> <p>giving [2] 35/8 52/25</p> <p>globe [1] 33/18</p> <p>gmail.com [1] 1/25</p> <p>God [2] 4/19 36/25</p> <p>goes [3] 32/23 63/4 63/10</p> <p>Gomez [5] 16/1 16/11 16/17 17/8 27/17</p> <p>gone [1] 52/13</p> <p>good [7] 4/6 5/5 23/11 37/9 46/12 104/23 105/17</p> <p>grant [1] 78/24</p> <p>granting [1] 78/25</p> <p>graphic [1] 87/15</p> <p>Great [1] 4/12</p> <p>grudges [1] 46/25</p> <p>guards [1] 42/9</p> <p>guess [10] 21/11 36/8 56/19 57/12 59/9 59/13 63/3 64/14 68/15 78/7</p> <p>guesswork [1] 86/4</p> <p>guide [1] 74/22</p> <p>guy [1] 31/2</p> <p>guys [3] 28/3 29/24 49/5</p>	<p>harshness [1] 86/25</p> <p>having [9] 4/14 36/20 51/2 53/22 58/21 59/19 72/8 78/15 98/10</p> <p>he's [6] 20/19 22/9 35/7 35/15 35/17 36/3</p> <p>head [1] 17/1</p> <p>headings [1] 55/4</p> <p>hear [8] 20/8 29/17 61/24 62/3 69/5 74/14 99/21 103/1</p> <p>heard [18] 4/4 7/19 22/4 23/4 24/9 31/22 36/17 48/24 53/14 68/10 68/14 69/2 74/3 74/23 77/11 77/16 87/9 105/1</p> <p>hearing [3] 67/20 71/2 78/14</p> <p>hearsay [4] 21/15 21/19 22/1 44/10</p> <p>held [3] 22/7 35/4 106/6</p> <p>hell [1] 45/17</p> <p>help [5] 4/19 36/25 75/14 76/20 87/7</p> <p>hereby [1] 106/3</p> <p>hiding [1] 32/21</p> <p>HILLS [1] 2/8</p> <p>hire [4] 91/5 91/5 91/7 91/13</p> <p>hired [1] 32/2</p> <p>hold [1] 46/25</p> <p>holder's [1] 96/22</p> <p>holding [2] 40/8 40/14</p> <p>hole [1] 45/17</p> <p>home [1] 18/4</p> <p>honest [5] 8/20 12/7 32/10 52/10 98/15</p> <p>honestly [1] 10/3</p> <p>honesty [1] 32/24</p> <p>HONORABLE [1] 1/3</p> <p>hopefully [3] 72/15 73/19 105/15</p> <p>hopelessly [1] 59/14</p> <p>house [2] 23/16 38/9</p> <p>household [1] 83/13</p> <p>however [6] 64/9 66/13 80/4 84/11 96/1 96/3</p> <p>huh [4] 5/23 6/24 13/13 13/21</p> <p>Hyatt [1] 20/4</p>	<p>ignorant [1] 56/23</p> <p>ignore [3] 78/6 78/10 80/10</p> <p>ii [1] 83/22</p> <p>ill [1] 86/17</p> <p>illegal [5] 7/22 7/23 7/24 29/5 29/5</p> <p>image [7] 20/11 40/22 40/24 41/3 41/6 41/16 43/4</p> <p>images [1] 20/2</p> <p>imagine [2] 19/19 68/6</p> <p>immediate [5] 83/7 83/8 83/21 83/23 84/25</p> <p>immediately [3] 82/16 100/18 103/23</p> <p>impartial [2] 100/9 103/14</p> <p>implied [1] 84/15</p> <p>important [7] 50/19 80/6 80/13 88/20 98/8 100/12 103/17</p> <p>improper [3] 77/1 100/4 103/10</p> <p>in-house [1] 38/9</p> <p>inaccurate [2] 100/5 103/11</p> <p>INC [3] 1/5 75/16 88/8</p> <p>inclination [1] 68/11</p> <p>inclined [1] 71/18</p> <p>include [12] 9/2 51/11 59/2 60/3 60/13 63/1 65/17 65/18 67/21 68/7 68/17 70/7</p> <p>included [9] 59/24 64/11 65/10 65/21 66/15 66/17 68/5 68/8 68/18</p> <p>includes [6] 55/6 62/2 89/16 90/25 98/24 101/21</p> <p>including [13] 10/7 50/16 69/21 84/6 84/14 84/16 94/11 99/2 99/19 101/5 101/23 102/3 102/24</p> <p>INCLUSIVE [1] 1/9</p> <p>incomplete [1] 100/5</p> <p>inconsistent [1] 79/22</p> <p>incurred [1] 97/9</p> <p>independent [1] 83/2</p> <p>independently [1] 16/3</p> <p>indicate [1] 13/24</p> <p>indicated [1] 35/16</p> <p>indication [2] 51/9 79/1</p> <p>indifference [1] 86/20</p> <p>indirectly [1] 84/17</p> <p>individual [6] 6/11 7/11 7/16 7/18 21/18 31/18</p> <p>individuals [2] 52/13 53/19</p> <p>induced [2] 93/5 93/15</p>	<p>induces [1] 89/8</p> <p>indulging [1] 104/22</p> <p>industry [1] 37/22</p> <p>influenced [5] 75/6 77/2 100/5 103/11 104/6</p> <p>info [2] 25/22 26/4</p> <p>inform [3] 44/4 45/12 82/16</p> <p>information [15] 11/22 25/24 78/19 82/5 98/19 100/4 100/6 100/10 100/18 101/15 102/16 103/10 103/12 103/15 103/23</p> <p>informed [1] 60/8</p> <p>infringed [16] 52/6 88/9 88/16 89/5 92/9 92/11 92/24 93/7 93/9 93/18 95/20 96/1 96/3 96/5 96/18 96/20</p> <p>infringement [24] 51/21 52/3 57/3 75/17 87/6 89/6 89/10 90/8 91/15 93/4 94/22 94/24 95/5 95/11 96/1 96/3 96/7 96/8 96/8 96/12 96/14 96/15 97/11 97/22</p> <p>infringer [8] 92/16 92/19 92/24 93/14 93/18 95/2 95/8 95/23</p> <p>infringer's [1] 93/16</p> <p>infringes [2] 89/4 90/7</p> <p>infringing [12] 87/6 89/5 89/7 89/12 89/13 89/14 92/16 92/18 93/5 93/6 93/14 93/16</p> <p>initially [4] 10/1 10/4 59/2 61/2</p> <p>injures [1] 86/24</p> <p>injuries [1] 85/19</p> <p>injuring [1] 86/18</p> <p>injury [1] 85/17</p> <p>innocent [3] 96/2 96/7 96/9</p> <p>innocently [1] 96/3</p> <p>insights [1] 67/20</p> <p>insofar [2] 80/19 81/3</p> <p>Instagram [2] 99/3 101/24</p> <p>instance [1] 64/25</p> <p>instead [1] 95/18</p> <p>instruct [7] 49/5 54/2 71/21 73/18 74/24 77/7 85/8</p> <p>instructed [4] 30/16 76/11 77/5 91/2</p> <p>instructing [1] 85/9</p> <p>instruction [42] 56/11 58/17 58/18 59/10 59/15 60/3 61/8 61/22 62/1 62/12 62/17 62/19 62/21 65/1 65/4 65/6 65/10 65/17 66/2 66/5 66/11 66/16 66/18 66/20 66/21 67/23 68/12 69/9 70/3</p>	<p>70/7 70/9 70/20 70/25 71/13 72/21 73/7 81/23 84/9 91/15 91/24 96/6 102/12</p> <p>Instruction 14 [2] 58/18 70/7</p> <p>Instruction 21 [1] 91/15</p> <p>Instruction Number 14 [2] 62/12 62/17</p> <p>Instruction Number 21 [1] 91/24</p> <p>instructions [33] 49/3 49/4 53/22 53/25 54/1 54/8 54/9 54/15 56/8 56/16 57/20 57/22 57/23 58/16 71/5 71/6 71/22 71/25 72/5 72/14 72/16 74/9 74/10 74/13 74/19 74/21 74/25 75/10 76/2 98/18 101/14 104/15 104/17</p> <p>intend [1] 56/15</p> <p>intended [2] 51/13 76/20</p> <p>intent [8] 64/1 66/23 69/11 69/15 69/23 82/24 83/20 84/22</p> <p>intention [1] 60/23</p> <p>intentionally [2] 93/5 93/15</p> <p>interact [1] 19/14</p> <p>interacted [1] 7/15</p> <p>interacting [2] 17/10 19/16</p> <p>interaction [2] 18/5 18/8</p> <p>interactions [4] 19/17 19/18 25/2 43/10</p> <p>interest [3] 44/17 79/13 94/2</p> <p>interferes [1] 84/19</p> <p>International [1] 5/16</p> <p>Internet [7] 82/12 99/1 99/13 99/16 101/22 102/18 102/21</p> <p>interpret [1] 76/20</p> <p>interrogatories [1] 80/24</p> <p>investigation [8] 6/14 11/6 25/5 30/3 99/14 100/3 102/19 103/9</p> <p>investigator [10] 5/14 6/6 6/7 16/1 16/13 17/8 21/5 22/10 22/15 33/17</p> <p>investigators [2] 7/3 31/16</p> <p>inviting [1] 61/11</p> <p>invoice [5] 12/20 12/23 12/25 13/12 13/25</p> <p>involved [9] 6/20 44/8 44/18 45/13 89/21 99/6 99/19 102/4 102/24</p> <p>involvement [2] 26/9</p>
<p>H</p> <p>hand [6] 32/9 63/11 80/7 90/15 92/25 93/21</p> <p>handle [1] 61/19</p> <p>handled [1] 32/5</p> <p>handling [1] 38/11</p> <p>hands [1] 81/23</p> <p>hands-on [1] 81/23</p> <p>happen [2] 99/21 103/1</p> <p>happened [3] 21/9 39/16 79/24</p> <p>happens [2] 60/18 60/25</p> <p>harass [15] 24/10 29/1 63/9 64/2 67/5 67/6 67/7 67/9 67/10 67/22 68/2 68/13 70/10 82/25 85/1</p> <p>harasses [1] 84/19</p> <p>harassing [1] 29/4</p> <p>Harassment [1] 29/5</p> <p>hard [2] 59/18 95/22</p> <p>harmed [1] 86/14</p>	<p>I</p> <p>I'd [4] 15/6 18/15 23/19 30/1</p> <p>i's [1] 57/14</p> <p>ICS [3] 5/18 9/22 32/4</p> <p>idea [5] 12/3 25/12 26/6 61/6 89/25</p> <p>ideas [2] 87/17 90/2</p> <p>idiot [1] 26/8</p> <p>if they [1] 32/18</p> <p>ignorance [2] 55/8 57/4</p> <p>ignorance/by [1] 57/4</p>			

<p>I</p> <p>involvement... [1] 26/12</p> <p>involves [2] 98/20 101/16</p> <p>ish [1] 21/11</p> <p>isolation [1] 50/20</p> <p>issue [6] 35/17 58/15 61/16 61/23 68/25 72/21</p> <p>issued [1] 84/6</p> <p>issues [6] 35/10 49/22 88/6 98/19 101/16 105/6</p> <p>it October [1] 17/3</p> <p>item [1] 10/20</p>	<p>7/24 10/1 10/5 10/9 11/24 12/12 12/14 13/14 14/1 25/5 25/10 25/13 26/7 27/20 27/24 28/4 28/5 28/12 28/22 29/7 29/12 29/22 30/17 30/20 31/6 31/9 33/16 34/8 44/5 51/22 57/2</p> <p>kazalfamilystory.com [4] 51/23 58/9 97/7 97/16</p> <p>Kazals [3] 26/25 34/5 34/7</p> <p>keep [4] 67/2 78/18 78/22 101/9</p> <p>kept [3] 17/24 19/25 33/2</p> <p>key [1] 63/6</p> <p>kick [1] 47/3</p> <p>kickback [1] 45/20</p> <p>kidding [1] 104/17</p> <p>kind [6] 11/9 28/24 31/15 32/12 48/20 91/8</p> <p>kinds [1] 77/19</p> <p>knew [9] 10/2 58/10 89/14 93/4 93/13 97/2 97/5 97/17 97/21</p> <p>knowing [2] 67/10 85/1</p> <p>knowledge [5] 25/7 31/5 33/9 65/8 97/12</p> <p>known [7] 58/10 89/7 89/21 97/2 97/6 97/17 97/22</p> <p>knows [2] 58/21 89/7</p>	<p>76/18 76/24 80/17 99/20 101/2 102/25</p> <p>learn [3] 29/10 99/15 102/20</p> <p>learned [1] 46/25</p> <p>least [6] 39/17 49/25 68/10 71/3 83/24 91/11</p> <p>leave [4] 50/24 59/12 70/10 104/7</p> <p>lectern [1] 72/2</p> <p>left [8] 17/23 18/6 18/11 18/13 33/2 41/16 42/14 104/7</p> <p>legal [9] 28/20 44/4 44/6 44/7 45/13 61/3 87/8 88/5 102/12</p> <p>legitimate [2] 67/14 85/4</p> <p>length [2] 36/9 78/23</p> <p>LESOWITZ [1] 2/7</p> <p>less [1] 95/24</p> <p>let [11] 8/6 16/17 26/3 50/3 53/19 59/11 71/12 72/13 74/19 98/22 101/19</p> <p>letter [5] 30/24 30/25 31/3 45/25 46/6</p> <p>liability [1] 55/17</p> <p>liable [7] 52/3 52/7 52/23 82/20 89/6 89/10 93/3</p> <p>license [1] 95/13</p> <p>licensed [4] 6/9 16/4 16/5 16/16</p> <p>lieu [1] 80/20</p> <p>life [1] 85/20</p> <p>light [4] 50/15 55/19 59/11 79/19</p> <p>like [26] 6/21 8/9 11/14 13/6 15/6 16/9 18/15 19/17 23/19 24/16 25/8 25/15 29/25 30/1 30/8 33/13 34/23 40/13 42/3 42/4 42/16 50/22 52/14 56/14 59/3 65/11</p> <p>likes [1] 75/6</p> <p>limit [1] 51/14</p> <p>limitation [1] 97/19</p> <p>limitations [7] 57/23 62/11 62/15 96/24 96/25 97/8 97/8</p> <p>limited [7] 29/23 77/7 77/8 84/6 84/16 99/2 101/23</p> <p>limits [1] 91/10</p> <p>line [7] 7/5 29/6 58/3 58/4 58/5 73/2 73/9</p> <p>Line 14 [1] 58/4</p> <p>line 20 [1] 73/2</p> <p>line 4 [1] 73/9</p> <p>lines [3] 69/9 70/8 73/9</p> <p>lines 22 [1] 69/9</p> <p>LinkedIn [2] 99/3 101/24</p>	<p>list [2] 76/16 81/14</p> <p>listed [1] 65/22</p> <p>listen [2] 99/10 102/14</p> <p>listened [1] 98/8</p> <p>listener [1] 50/17</p> <p>lists [1] 25/10</p> <p>literally [2] 39/22 40/13</p> <p>literary [1] 87/14</p> <p>little [7] 21/10 39/16 41/17 42/5 42/11 48/13 96/2</p> <p>live [1] 80/21</p> <p>LLC [1] 26/10</p> <p>lobby [1] 43/16</p> <p>located [2] 5/20 81/12</p> <p>location [2] 16/21 17/9</p> <p>locations [2] 14/11 14/12</p> <p>locked [1] 41/25</p> <p>long [12] 6/5 18/21 37/22 38/19 53/6 58/22 59/1 59/14 71/24 72/4 87/22 102/7</p> <p>Long Beach [1] 38/19</p> <p>longer [2] 47/2 69/17</p> <p>look [12] 42/4 52/9 52/12 53/14 53/25 55/15 57/10 61/5 69/8 71/5 71/6 71/12</p> <p>looking [16] 9/23 11/4 11/20 12/18 12/21 13/17 16/19 19/3 20/3 20/11 41/17 55/3 61/21 63/3 64/5 66/7</p> <p>looks [5] 11/14 16/9 42/3 42/16 50/22</p> <p>LOS [4] 1/17 1/24 2/13 4/1</p> <p>loss [1] 85/20</p> <p>losses [1] 95/22</p> <p>lost [1] 95/13</p> <p>lot [9] 6/20 15/21 26/21 44/19 55/21 58/23 59/1 61/16 61/18</p> <p>loud [1] 6/3</p> <p>lunch [1] 49/23</p> <p>lying [1] 46/12</p>	<p>45/19 98/25 101/22</p> <p>mailed [1] 13/2</p> <p>mails [3] 9/2 10/14 44/9</p> <p>main [2] 41/14 41/15</p> <p>mainly [2] 38/10 42/9</p> <p>maintenance [1] 81/23</p> <p>make [20] 7/5 15/4 34/23 52/23 53/6 53/20 54/3 56/10 56/21 57/25 60/15 65/6 70/2 73/14 73/15 73/20 79/24 99/14 102/19 103/24</p> <p>makes [4] 49/8 57/7 71/9 77/19</p> <p>making [2] 32/7 94/3</p> <p>malice [2] 49/12 70/18</p> <p>malicious [2] 86/15 86/16</p> <p>manner [2] 15/2 79/12</p> <p>many [3] 38/13 38/21 39/13</p> <p>margins [1] 53/19</p> <p>mark [5] 4/10 4/13 4/23 55/12 56/20</p> <p>Mark Woodward [2] 4/10 4/23</p> <p>MARKED [1] 3/13</p> <p>market [3] 94/17 95/7 95/8</p> <p>marketing [3] 38/10 38/11 38/12</p> <p>material [4] 82/13 88/3 92/7 92/7</p> <p>materiality [1] 89/8</p> <p>materially [2] 93/6 93/16</p> <p>materials [6] 38/12 82/14 82/16 82/17 99/13 102/18</p> <p>Matt [1] 39/7</p> <p>matter [9] 48/17 48/20 64/19 68/9 81/25 88/4 99/9 102/10 106/6</p> <p>matters [6] 44/4 44/6 44/8 45/13 48/14 49/1</p> <p>May 26th [1] 45/15</p> <p>May 28, 2018 [1] 45/19</p> <p>maybe [5] 21/24 27/3 52/9 61/2 70/21</p> <p>mean [25] 8/6 26/8 28/22 28/24 33/12 35/24 39/17 43/11 50/2 52/15 59/13 59/16 60/3 60/14 60/14 61/4 61/14 63/11 67/4 68/1 68/2 68/3 70/20 71/10 85/10</p> <p>meaning [4] 59/25 64/12 68/8 68/18</p> <p>means [27] 56/24 59/19 60/12 60/17 61/7 63/23 64/7 64/16 66/12 67/10 70/9 70/10 70/10 75/7</p>
<p>J</p> <p>Jacqueline [1] 47/14</p> <p>Jamie [31] 6/11 6/14 7/10 7/14 9/22 10/2 10/3 10/7 11/16 11/17 11/19 11/21 11/24 12/4 12/5 13/2 13/3 21/3 23/23 23/25 24/21 25/6 25/10 25/20 26/3 27/6 27/8 29/11 33/4 33/15 33/18</p> <p>Jamie Brown [13] 10/7 11/16 11/17 21/3 23/23 23/25 25/6 25/20 26/3 27/6 27/8 33/4 33/15</p> <p>Jamie's [1] 11/22</p> <p>jeopardizes [2] 100/15 103/20</p> <p>job [2] 33/14 38/8</p> <p>joint [2] 55/19 58/17</p> <p>Joshua [2] 21/24 21/24</p> <p>JR [1] 1/3</p> <p>JRT [1] 11/15</p> <p>JUDGE [1] 1/3</p> <p>judgment [1] 52/19</p> <p>Judicial [1] 106/8</p> <p>JUI [3] 1/23 106/14 106/15</p> <p>jump [1] 64/23</p> <p>juncture [1] 53/16</p> <p>June [1] 46/1</p> <p>June 26th [1] 46/1</p> <p>juror [11] 68/1 69/20 82/3 97/25 98/1 100/14 100/17 102/6 103/19 103/22 104/12</p> <p>jurors [17] 49/5 49/10 54/2 69/14 71/19 73/16 82/8 98/3 98/7 98/14 98/21 99/21 101/8 101/11 102/1 103/1 104/7</p> <p>Justice [1] 50/5</p>	<p>J</p> <p>Jacqueline [1] 47/14</p> <p>Jamie [31] 6/11 6/14 7/10 7/14 9/22 10/2 10/3 10/7 11/16 11/17 11/19 11/21 11/24 12/4 12/5 13/2 13/3 21/3 23/23 23/25 24/21 25/6 25/10 25/20 26/3 27/6 27/8 29/11 33/4 33/15 33/18</p> <p>Jamie Brown [13] 10/7 11/16 11/17 21/3 23/23 23/25 25/6 25/20 26/3 27/6 27/8 33/4 33/15</p> <p>Jamie's [1] 11/22</p> <p>jeopardizes [2] 100/15 103/20</p> <p>job [2] 33/14 38/8</p> <p>joint [2] 55/19 58/17</p> <p>Joshua [2] 21/24 21/24</p> <p>JR [1] 1/3</p> <p>JRT [1] 11/15</p> <p>JUDGE [1] 1/3</p> <p>judgment [1] 52/19</p> <p>Judicial [1] 106/8</p> <p>JUI [3] 1/23 106/14 106/15</p> <p>jump [1] 64/23</p> <p>juncture [1] 53/16</p> <p>June [1] 46/1</p> <p>June 26th [1] 46/1</p> <p>juror [11] 68/1 69/20 82/3 97/25 98/1 100/14 100/17 102/6 103/19 103/22 104/12</p> <p>jurors [17] 49/5 49/10 54/2 69/14 71/19 73/16 82/8 98/3 98/7 98/14 98/21 99/21 101/8 101/11 102/1 103/1 104/7</p> <p>Justice [1] 50/5</p>	<p>L</p> <p>L.A [3] 26/21 33/12 52/5</p> <p>lack [1] 97/12</p> <p>ladies [3] 4/6 48/11 74/5</p> <p>lady [1] 17/23</p> <p>laid [1] 60/16</p> <p>language [5] 59/15 60/11 61/8 61/9 69/21</p> <p>lap [1] 55/25</p> <p>last [4] 37/5 43/23 69/5 102/7</p> <p>late [1] 104/23</p> <p>later [2] 70/2 74/17</p> <p>laughing [1] 19/23</p> <p>law [24] 2/3 2/3 2/7 2/11 2/12 2/12 17/13 17/15 49/2 50/8 59/3 64/20 68/9 70/5 74/24 75/4 75/4 77/19 86/23 89/22 90/1 99/19 101/14 102/24</p> <p>lawful [1] 8/2</p> <p>laws [2] 95/23 96/25</p> <p>lawsuit [2] 8/18 8/21</p> <p>lawyer [4] 57/13 77/24 77/25 78/2</p> <p>lawyers [11] 28/15 74/18 76/9 76/17</p>	<p>M</p> <p>M-a-r-k [1] 4/23</p> <p>mad [1] 29/25</p> <p>made [27] 13/3 13/22 28/10 28/14 49/21 56/4 65/6 66/23 69/10 69/14 69/15 69/23 70/1 81/4 83/19 84/3 84/22 91/5 91/5 91/7 91/10 91/13 94/5 94/8 94/19 95/11 98/10</p> <p>mail [14] 9/11 9/13 10/12 11/12 11/14 12/5 13/20 25/17 27/24 28/12 45/14</p>	<p>mean [25] 8/6 26/8 28/22 28/24 33/12 35/24 39/17 43/11 50/2 52/15 59/13 59/16 60/3 60/14 60/14 61/4 61/14 63/11 67/4 68/1 68/2 68/3 70/20 71/10 85/10</p> <p>meaning [4] 59/25 64/12 68/8 68/18</p> <p>means [27] 56/24 59/19 60/12 60/17 61/7 63/23 64/7 64/16 66/12 67/10 70/9 70/10 70/10 75/7</p>
<p>K</p> <p>KARINA [1] 2/4</p> <p>KAZAL [37] 1/8 1/8 1/9 7/11 7/16 7/18</p>				

<p>M</p> <p>means... [13] 75/22 78/11 83/8 84/10 84/13 84/14 84/18 85/1 85/15 88/14 95/5 98/25 101/22</p> <p>meant [1] 44/15</p> <p>measure [1] 85/9</p> <p>media [9] 39/15 99/4 99/5 99/10 99/22 101/25 102/4 102/14 103/2</p> <p>medium [1] 87/25</p> <p>meet [2] 55/21 74/11</p> <p>MEI [3] 1/23 106/14 106/15</p> <p>member [6] 83/7 83/22 83/23 97/25 100/21 100/23</p> <p>members [3] 81/20 99/5 102/3</p> <p>memory [5] 76/23 79/11 104/4 104/5 105/10</p> <p>mental [1] 85/23</p> <p>mentioned [3] 14/18 32/14 49/24</p> <p>merchant [1] 13/19</p> <p>merits [2] 98/23 101/20</p> <p>messaging [2] 99/1 101/22</p> <p>met [3] 5/10 25/14 37/15</p> <p>method [1] 84/18</p> <p>methods [2] 87/18 90/4</p> <p>Mexican [1] 50/8</p> <p>Mexico [1] 50/9</p> <p>mic [1] 22/12</p> <p>middle [2] 11/23 41/6</p> <p>might [4] 17/16 59/18 70/19 78/7</p> <p>mimics [1] 59/15</p> <p>mind [3] 29/3 65/9 101/9</p> <p>mine [1] 27/10</p> <p>minimum [1] 78/23</p> <p>minute [3] 18/21 48/14 53/21</p> <p>minutes [9] 39/12 39/24 43/4 43/16 72/6 73/20 105/9 105/11 105/16</p> <p>minutes' [1] 39/18</p> <p>misfortune [1] 87/3</p> <p>misleading [2] 100/6 103/12</p> <p>missed [2] 62/13 70/21</p> <p>misspoke [1] 66/10</p> <p>mistake [3] 12/3 58/1 70/25</p> <p>mistaken [2] 58/1 105/12</p> <p>mistakes [1] 79/24</p> <p>mistrial [2] 100/16 103/21</p>	<p>misusing [1] 87/1</p> <p>moment [4] 18/21 51/17 53/12 87/24</p> <p>moments [3] 17/22 34/4 43/7</p> <p>MONDAY [3] 1/15 4/1 38/21</p> <p>money [5] 27/5 27/7 46/20 85/16 95/5</p> <p>monitor [1] 7/4</p> <p>monitors [1] 84/19</p> <p>months [5] 8/12 27/4 46/19 46/23 83/11</p> <p>more [16] 36/1 39/23 55/6 56/15 61/13 61/18 73/19 75/23 77/17 81/20 88/15 92/8 95/25 97/9 100/21 105/16</p> <p>morning [4] 72/17 74/12 74/14 104/16</p> <p>mostly [1] 38/11</p> <p>motion [6] 49/17 50/14 53/16 70/1 70/2 87/16</p> <p>move [5] 13/6 24/6 24/12 30/8 42/10</p> <p>moved [3] 15/9 18/18 47/1</p> <p>Mr. Brown [4] 6/16 7/21 8/4 12/9</p> <p>Mr. David [26] 8/4 14/23 16/9 17/14 17/23 21/5 22/10 22/16 24/10 28/23 29/1 29/22 32/17 35/22 37/25 43/10 43/19 43/23 44/3 44/20 44/23 45/8 46/11 46/18 46/20 47/3</p> <p>Mr. David's [3] 18/4 35/21 45/22</p> <p>Mr. Fuentes [1] 11/14</p> <p>Mr. Gebelin [1] 73/21</p> <p>Mr. Gomez [2] 16/11 16/17</p> <p>Mr. Kazal [1] 30/20</p> <p>Mr. Parlato [1] 37/9</p> <p>Mr. Rodric David [1] 14/3</p> <p>Mr. Taylor [12] 4/8 34/17 47/20 48/2 49/16 50/25 54/16 69/2 70/11 72/2 73/12 73/23</p> <p>Mr. Wiener [10] 8/16 15/19 34/12 50/12 54/12 62/5 68/14 69/6 72/10 105/10</p> <p>Mr. Woodward [3] 5/5 23/11 34/3</p> <p>much [6] 10/5 24/14 72/12 77/21 80/14 96/4</p> <p>multi [1] 6/20</p> <p>multi-faceted [1] 6/20</p>	<p>music [1] 20/8</p> <p>musical [1] 87/14</p> <p>must [37] 55/16 67/15 67/17 75/4 75/5 75/7 75/22 77/6 77/9 78/7 78/12 82/16 83/24 85/4 85/6 85/13 86/3 87/20 88/14 88/17 91/24 92/4 92/10 93/8 94/22 95/2 95/16 97/4 97/20 98/4 98/5 98/16 98/18 99/8 101/12 101/14 102/9</p> <p>N</p> <p>nailed [1] 54/2</p> <p>name [22] 4/22 7/12 7/13 7/19 12/6 14/22 14/24 21/18 21/23 21/24 23/11 28/4 28/8 28/8 28/17 28/18 28/20 31/22 37/2 37/5 52/16 52/22</p> <p>named [5] 6/11 7/11 7/16 7/18 31/18</p> <p>names [1] 29/15</p> <p>national [1] 50/9</p> <p>nature [4] 7/6 85/19 94/11 94/13</p> <p>near [2] 14/9 48/12</p> <p>necessarily [3] 50/12 55/16 80/12</p> <p>necessary [2] 78/14 100/19</p> <p>need [17] 9/25 17/21 28/8 32/22 32/23 42/1 48/13 54/18 63/14 67/21 69/19 69/20 70/5 70/20 71/3 81/17 105/16</p> <p>needed [1] 17/20</p> <p>needs [1] 69/23</p> <p>neighborhood [7] 14/9 18/3 18/9 18/13 19/5 20/21 20/24</p> <p>neighbors [2] 19/19 19/24</p> <p>Nester [1] 27/17</p> <p>never [9] 7/19 7/23 10/10 12/5 12/14 25/14 25/14 28/8 31/15</p> <p>new [2] 73/17 96/20</p> <p>news [4] 71/19 99/10 102/14 102/16</p> <p>next [7] 4/8 11/7 12/8 34/18 41/17 42/5 48/2</p> <p>nine [1] 30/13</p> <p>Ninth [1] 50/1</p> <p>Ninth Circuit [1] 50/1</p> <p>nobody [1] 7/5</p> <p>none [3] 15/5 19/23 79/6</p> <p>nonjuror [2] 82/2 82/4</p> <p>nonprofit [1] 94/12</p> <p>normal [2] 33/13 40/4</p> <p>normally [1] 61/19</p>	<p>note [3] 81/16 81/19 100/20</p> <p>noted [1] 70/6</p> <p>notes [7] 104/2 104/2 104/4 104/5 104/6 104/7 104/8</p> <p>nothing [12] 4/18 21/1 23/6 32/6 33/23 34/10 34/13 36/6 36/24 45/4 47/18 47/21</p> <p>notify [3] 100/18 102/5 103/23</p> <p>November [7] 25/18 27/1 27/22 27/24 29/12 30/17 32/1</p> <p>November 10th [1] 25/18</p> <p>November 2016 [1] 32/1</p> <p>November 7th [1] 27/24</p> <p>November 8 [1] 30/17</p> <p>November of [1] 27/22</p> <p>number [10] 12/19 12/22 57/2 57/2 62/12 62/17 69/9 78/23 80/12 91/24</p> <p>Number 14 [2] 12/19 69/9</p> <p>Number 2 [1] 57/2</p> <p>numbered [1] 9/8</p> <p>Numbers [1] 96/6</p> <p>O</p> <p>o'clock [1] 74/16</p> <p>oath [7] 75/9 80/16 81/1 100/1 100/11 103/7 103/16</p> <p>object [3] 64/18 76/25 78/2</p> <p>objection [16] 13/7 13/8 21/15 21/19 22/1 23/1 24/11 30/11 34/24 44/10 70/6 70/11 77/2 78/3 78/4 78/6</p> <p>objections [3] 54/14 57/16 76/24</p> <p>obligated [2] 39/9 47/17</p> <p>observation [1] 19/15</p> <p>observe [6] 14/11 14/15 15/1 17/10 18/8 40/10</p> <p>observed [8] 14/13 15/4 16/20 18/12 19/4 20/12 36/8 43/19</p> <p>obtain [3] 16/5 82/14 90/23</p> <p>obtained [4] 15/18 26/17 26/20 27/5</p> <p>obviously [3] 49/21 53/4 70/18</p> <p>occasion [1] 83/24</p> <p>occasions [1] 14/4</p> <p>occurred [2] 71/7 83/5</p>	<p>occurs [1] 91/9</p> <p>October [2] 17/3 27/1</p> <p>of the [1] 63/18</p> <p>off [2] 16/25 22/11</p> <p>offers [1] 77/25</p> <p>office [13] 5/7 8/12 10/8 10/10 15/7 16/2 20/7 20/23 21/4 37/11 88/3 90/24 91/1</p> <p>offices [2] 2/3 38/19</p> <p>OFFICIAL [1] 1/23</p> <p>often [1] 79/24</p> <p>Oh [3] 51/20 58/4 66/8</p> <p>omission [1] 86/23</p> <p>omitted [1] 73/2</p> <p>once [3] 49/3 53/22 54/2</p> <p>one [30] 14/4 17/16 20/19 32/14 34/9 35/23 44/7 46/11 47/13 50/2 52/15 56/25 57/24 58/15 61/21 62/6 63/11 70/12 77/17 80/24 81/20 83/17 83/24 89/1 91/6 92/8 93/23 97/24 100/21 104/8</p> <p>ongoing [1] 66/14</p> <p>only [17] 12/9 34/7 56/6 76/13 77/7 77/8 81/25 86/13 89/24 95/21 98/6 98/9 98/17 99/24 101/13 103/5 104/5</p> <p>oOo [1] 105/21</p> <p>open [9] 4/4 23/4 36/17 42/2 48/24 74/3 100/25 101/9 105/1</p> <p>opening [2] 76/19 105/13</p> <p>operate [2] 81/11 81/18</p> <p>operation [5] 28/24 38/14 82/5 87/18 90/4</p> <p>opinion [5] 48/17 50/6 75/12 79/1 98/11</p> <p>opinions [1] 75/6</p> <p>opportunity [2] 79/9 92/3</p> <p>oppression [1] 70/18</p> <p>oppressive [2] 86/15 86/23</p> <p>options [1] 55/15</p> <p>orange [1] 41/18</p> <p>order [3] 82/25 84/5 84/6</p> <p>ordered [3] 78/9 99/8 102/10</p> <p>organization's [1] 38/12</p> <p>organize [2] 32/4 32/5</p> <p>organized [1] 32/3</p> <p>original [10] 87/20 87/21 88/13 89/23 89/23 90/5 90/11 90/21 91/17 91/22</p> <p>originally [1] 70/25</p> <p>Orozco [1] 50/11</p>
---	--	--	---	--

<p>O</p> <p>Orozco-Santillan [1] 50/11</p> <p>others [6] 80/9 89/23 90/2 91/4 91/14 94/3</p> <p>otherwise [5] 7/15 76/2 86/24 101/6 101/18</p> <p>out [31] 7/5 9/17 27/18 31/23 31/25 32/9 32/12 32/13 33/14 40/4 43/17 44/6 44/8 45/16 49/2 50/13 51/16 53/1 53/8 53/22 53/23 55/6 56/1 57/3 60/16 61/13 69/3 72/14 78/14 84/23 101/1</p> <p>outcome [1] 79/13</p> <p>outside [23] 4/10 20/24 34/21 35/18 38/24 39/4 39/10 39/24 40/9 40/14 41/1 42/20 43/5 43/9 43/20 48/24 51/6 82/12 100/3 100/18 103/9 103/23 105/1</p> <p>over [9] 27/9 46/23 48/13 64/8 66/13 84/11 98/1 100/17 103/22</p> <p>overlap [1] 92/7</p> <p>overly [1] 104/6</p> <p>overruled [4] 21/20 44/13 47/9 78/2</p> <p>overstick [2] 28/5 28/17</p> <p>overwhelm [1] 61/21</p> <p>own [6] 5/16 66/3 98/10 99/15 102/20 104/4</p> <p>owner [18] 17/19 32/20 87/9 87/25 88/7 88/12 89/3 90/10 90/17 90/19 90/23 91/4 91/13 93/24 94/1 94/3 95/3 95/6</p> <p>owner's [2] 90/7 94/4</p> <p>ownership [1] 87/4</p> <p>owns [1] 91/12</p>	<p>paid [4] 7/7 7/9 7/10 13/18</p> <p>pain [1] 85/23</p> <p>pantomime [1] 87/14</p> <p>paper [2] 81/14 81/15</p> <p>papers [2] 8/21 8/23</p> <p>paragraph [2] 11/24 83/19</p> <p>paragraph 1 [2] 11/24 83/19</p> <p>parameters [1] 9/19</p> <p>Pardon [1] 58/24</p> <p>parent [1] 83/9</p> <p>park [2] 2/13 41/23</p> <p>parked [1] 17/12</p> <p>Parlato [6] 34/20 35/6 36/19 37/4 37/9 45/8</p> <p>part [17] 15/8 18/17 27/9 51/7 59/5 63/17 64/25 65/23 66/21 66/22 67/5 73/4 79/6 80/9 83/18 91/11 91/23</p> <p>particular [2] 23/16 89/24</p> <p>particularly [1] 59/11</p> <p>parties [13] 49/4 54/11 55/23 75/15 76/3 80/24 84/18 99/20 100/8 100/11 102/25 103/13 103/16</p> <p>parties' [1] 103/5</p> <p>partner [1] 27/17</p> <p>parts [1] 50/19</p> <p>party [5] 75/20 75/25 76/1 80/17 85/10</p> <p>party's [1] 99/23</p> <p>pass [1] 26/1</p> <p>passed [1] 25/5</p> <p>passersby [1] 19/14</p> <p>passing [1] 19/16</p> <p>past [4] 37/23 46/25 47/1 71/10</p> <p>pattern [41] 51/11 59/5 59/17 59/20 59/21 59/21 59/25 60/7 60/9 60/12 60/17 61/6 63/7 63/22 63/25 64/7 64/12 64/15 65/11 65/18 66/11 66/12 66/22 67/7 67/22 68/1 68/8 68/13 68/15 68/18 69/19 70/9 82/23 83/4 83/12 83/15 83/18 84/1 84/2 84/10 84/16</p> <p>patterns [1] 8/8</p> <p>pause [1] 19/2</p> <p>pay [2] 9/18 95/10</p> <p>paying [1] 24/21</p> <p>payment [2] 10/7 13/22</p> <p>payments [2] 13/3 24/20</p> <p>pedestrian [1] 41/21</p> <p>pen [1] 52/14</p> <p>penalize [1] 95/22</p> <p>people [12] 14/11</p>	<p>per [1] 43/18</p> <p>perceived [1] 86/21</p> <p>perform [2] 26/25 61/17</p> <p>performed [1] 24/15</p> <p>performing [1] 87/11</p> <p>perhaps [6] 22/5 35/2 36/12 56/3 56/4 59/2</p> <p>period [7] 38/15 64/9 66/13 84/11 87/13 97/3 97/4</p> <p>permission [1] 90/7</p> <p>permit [1] 82/11</p> <p>permitted [1] 78/1</p> <p>persisted [1] 84/2</p> <p>person [21] 6/13 52/15 52/23 62/3 67/16 83/9 83/10 83/16 84/23 85/2 85/3 85/5 85/7 87/10 89/6 89/7 89/10 89/11 89/14 98/24 101/21</p> <p>personal [3] 9/14 40/1 75/6</p> <p>personally [5] 14/2 37/17 37/19 42/24 77/16</p> <p>persuaded [2] 75/22 88/15</p> <p>persuades [2] 98/12 98/13</p> <p>phase [6] 49/14 49/15 54/10 71/2 71/7 71/12</p> <p>phone [3] 44/9 98/25 101/21</p> <p>photocopy [1] 82/18</p> <p>photographer [1] 35/16</p> <p>photographs [13] 23/25 35/10 58/9 58/11 89/21 90/18 90/20 91/3 92/9 93/8 97/7 97/15 97/18</p> <p>photos [5] 23/20 23/23 35/17 39/3 39/17</p> <p>phrase [2] 66/25 69/19</p> <p>physically [2] 38/19 51/4</p> <p>picked [1] 63/14</p> <p>picking [1] 56/25</p> <p>pictorial [2] 87/15 89/22</p> <p>picture [3] 42/2 52/6 87/16</p> <p>pictured [1] 41/6</p> <p>pictures [4] 35/18 39/13 43/5 43/9</p> <p>pit [1] 52/14</p> <p>place [16] 19/22 51/8 55/17 63/9 64/1 66/23 68/22 69/11 69/16 69/24 82/24 83/20 99/16 99/17 102/21</p>	<p>placed [1] 80/16</p> <p>places [1] 63/19</p> <p>placing [1] 52/19</p> <p>plaintiff [73] 37/24 44/12 48/8 63/19 64/2 66/3 66/24 67/12 67/18 68/23 69/11 69/14 69/16 69/22 69/24 75/15 75/17 82/21 82/25 83/1 83/6 83/14 83/20 83/23 83/24 85/12 85/14 85/17 86/9 86/14 86/18 86/25 87/3 87/4 88/8 88/17 88/22 90/8 90/10 90/13 90/14 90/15 90/17 90/19 90/20 90/22 91/16 91/18 91/24 92/4 92/11 92/22 92/23 92/25 93/11 93/19 93/21 93/21 94/23 94/25 95/2 95/13 95/15 95/17 95/19 95/21 96/16 96/24 97/1 97/2 97/11 97/13 97/21</p> <p>plaintiff's [1] 95/17</p> <p>plaintiffs [9] 1/6 2/2 23/12 54/13 75/18 86/5 86/10 88/10 88/11</p> <p>plaintiffs' [36] 8/13 52/18 53/2 58/2 58/8 83/13 84/3 84/20 85/13 86/16 86/19 86/20 86/22 88/9 88/22 88/23 88/25 90/8 90/21 91/17 91/20 91/23 92/1 92/2 92/3 92/9 92/24 93/8 93/19 94/20 94/21 94/22 95/12 95/15 95/16 97/14</p> <p>play [2] 18/22 42/10</p> <p>played [5] 15/12 18/25 19/11 41/4 42/12</p> <p>please [16] 4/21 4/21 12/16 22/12 34/18 37/2 48/16 48/21 48/23 54/21 59/8 75/10 78/16 100/18 103/23 105/3</p> <p>PM [5] 54/6 54/6 72/19 74/2 74/2</p> <p>point [13] 11/21 21/4 32/14 38/23 50/12 51/16 53/1 53/8 61/5 62/6 62/13 65/1 70/12</p> <p>pointed [1] 50/13</p> <p>points [2] 54/18 64/18</p> <p>police [13] 17/10 17/18 17/20 17/23 18/4 18/8 18/13 31/7 31/11 31/13 32/15 32/25 33/2</p> <p>poorly [1] 46/21</p>	<p>portion [6] 49/14 66/1 66/4 83/12 88/20 94/14</p> <p>position [7] 19/21 64/19 68/16 68/21 68/21 69/8 75/15</p> <p>possible [5] 45/22 80/19 81/3 99/23 103/3</p> <p>potential [1] 94/16</p> <p>power [1] 87/1</p> <p>practical [1] 84/4</p> <p>practice [1] 10/13</p> <p>preceding [2] 57/11 83/11</p> <p>precluded [1] 31/17</p> <p>precludes [1] 35/8</p> <p>prefer [1] 72/11</p> <p>preference [2] 71/23 72/1</p> <p>prejudice [2] 75/7 79/15</p> <p>prepared [5] 22/9 22/17 89/18 91/6 104/10</p> <p>prepares [1] 89/2</p> <p>preparing [1] 87/11</p> <p>preponderance [17] 75/21 85/15 86/11 88/11 88/14 90/9 90/20 91/19 91/25 92/12 93/12 94/7 94/19 95/3 96/10 96/17 97/20</p> <p>prescribed [1] 97/3</p> <p>presence [8] 4/4 23/4 36/17 38/24 43/20 48/25 74/3 105/2</p> <p>present [4] 14/2 78/16 80/22 81/24</p> <p>presented [8] 53/7 75/25 80/20 80/23 99/25 100/10 103/6 103/15</p> <p>preserved [1] 70/7</p> <p>preside [1] 98/1</p> <p>presiding [3] 97/25 97/25 104/12</p> <p>press [2] 99/5 102/4</p> <p>pretty [9] 10/5 29/6 29/24 31/2 32/10 32/13 32/24 38/1 39/21</p> <p>prevent [3] 90/1 94/3 96/25</p> <p>previous [1] 55/7</p> <p>previously [1] 65/3</p> <p>Price [1] 39/7</p> <p>principles [2] 87/19 90/4</p> <p>print [2] 28/3 81/13</p> <p>printed [2] 53/22 53/23</p> <p>printer [1] 81/8</p> <p>printing [1] 49/2</p> <p>prior [7] 8/7 65/17 66/1 66/11 66/20 97/10 97/22</p>
<p>P</p> <p>P-a-r-l-a-t-o [1] 37/5</p> <p>packet [1] 71/13</p> <p>page [19] 3/4 11/23 13/4 13/12 13/16 13/16 25/15 55/5 55/7 57/11 57/22 57/23 58/20 70/13 70/16 73/2 73/9 73/10 106/7</p> <p>page 1 [1] 13/12</p> <p>page 2 [2] 13/4 13/16</p> <p>page 21 [1] 73/2</p> <p>page 41 [1] 57/23</p> <p>page 5 [2] 25/15 70/13</p> <p>pages [1] 72/5</p> <p>pages of [1] 72/5</p>				

<p>P</p> <p>private [5] 5/14 6/7 16/1 16/13 31/16</p> <p>privy [1] 19/22</p> <p>probability [2] 85/21 85/24</p> <p>probably [11] 14/8 19/21 21/10 30/6 39/18 39/22 55/13 58/21 72/6 75/23 88/15</p> <p>problem [5] 53/4 72/8 81/22 82/1 82/4</p> <p>problems [1] 28/20</p> <p>Procedure [1] 84/7</p> <p>procedures [3] 81/2 87/18 90/3</p> <p>proceed [4] 5/1 15/10 37/6 49/13</p> <p>proceedings [7] 1/14 22/7 35/4 100/15 103/20 105/20 106/6</p> <p>proceeds [1] 27/8</p> <p>process [7] 100/2 100/7 100/17 103/8 103/13 103/22 104/21</p> <p>processes [2] 87/18 90/3</p> <p>produce [3] 8/17 8/25 11/7</p> <p>produced [3] 15/7 15/19 20/9</p> <p>producer [1] 38/9</p> <p>profession [2] 5/13 37/20</p> <p>professional [1] 20/5</p> <p>proffer [1] 35/13</p> <p>proficient [1] 31/2</p> <p>profited [1] 89/11</p> <p>profits [2] 95/1 95/19</p> <p>program [1] 87/17</p> <p>programs [2] 99/17 102/22</p> <p>prohibit [1] 97/9</p> <p>prohibiting [1] 84/7</p> <p>prohibits [1] 96/24</p> <p>projector [1] 81/8</p> <p>prompted [1] 45/22</p> <p>proof [2] 77/15 77/17</p> <p>proper [2] 35/11 59/18</p> <p>properly [2] 102/12 102/13</p> <p>property [3] 39/16 40/11 84/20</p> <p>proposal [3] 69/2 69/4 71/14</p> <p>propose [3] 55/18 59/9 59/11</p> <p>proposed [3] 49/8 54/8 70/4</p> <p>proposing [1] 60/11</p> <p>protect [3] 31/12 99/23 103/4</p> <p>protected [21] 51/12 51/15 59/5 59/24 60/20 61/1 61/12 63/16 63/21 64/11</p>	<p>64/19 64/20 65/15 65/19 68/7 68/17 68/24 69/13 69/17 69/22 89/25</p> <p>protection [6] 31/7 31/10 31/15 31/17 51/6 51/10</p> <p>protest [11] 14/2 14/13 18/12 21/7 21/11 26/18 31/23 32/3 32/5 35/20 94/6 88/15</p> <p>protesting [2] 14/11 40/2</p> <p>protestors [28] 14/14 15/1 17/11 17/13 17/25 18/9 19/7 19/13 19/15 20/15 20/24 26/14 32/2 32/6 32/12 33/4 33/9 38/24 39/1 39/4 39/11 39/19 39/25 40/9 41/1 42/16 42/19 43/20</p> <p>prove [11] 69/23 88/17 88/21 90/16 91/24 92/4 93/1 93/22 95/2 95/22 97/20</p> <p>proved [8] 76/12 86/2 90/13 92/22 93/20 94/18 96/9 96/16</p> <p>proven [1] 63/15</p> <p>proves [2] 82/21 90/20</p> <p>provide [5] 16/5 20/7 31/7 31/10 31/16</p> <p>provided [4] 15/21 54/7 81/6 81/14</p> <p>provides [2] 63/24 82/15</p> <p>providing [1] 82/7</p> <p>proving [12] 75/18 75/20 85/14 86/10 88/10 90/9 91/16 91/19 92/12 93/11 94/7 97/19</p> <p>provisions [1] 65/14</p> <p>provocative [2] 7/2 8/8</p> <p>provoke [2] 28/25 29/22</p> <p>provoking [1] 29/3</p> <p>public [1] 94/1</p> <p>publication [2] 58/9 97/15</p> <p>publicly [3] 89/1 89/1 89/19</p> <p>pull [2] 50/3 59/7</p> <p>pulled [1] 71/1</p> <p>punish [1] 86/7</p> <p>punitive [14] 49/10 49/13 54/10 70/18 71/2 71/6 71/12 72/25 73/3 86/6 86/7 86/8 86/11 86/13</p> <p>purchase [1] 26/22</p> <p>purpose [22] 21/14 24/5 44/2 51/13 64/10 66/14 67/14 77/7 77/8 77/10 78/12 78/18</p>	<p>81/25 82/5 82/10 84/12 85/4 86/17 91/11 94/6 94/10 95/21</p> <p>purposes [7] 60/16 63/5 70/8 83/8 84/9 86/7 94/12</p> <p>pursuant [4] 5/6 37/10 84/6 106/3</p> <p>putting [2] 27/11 52/15</p> <p>Q</p> <p>question [33] 12/8 29/18 31/8 31/13 33/8 34/4 49/11 55/12 56/20 57/2 57/4 57/6 57/8 59/3 60/25 61/3 61/11 68/9 70/5 70/15 70/17 71/11 71/17 77/1 77/24 78/3 78/4 78/6 78/7 81/22 91/4 101/1 101/4</p> <p>Question 1 [1] 57/8</p> <p>Question 5 [1] 70/15</p> <p>Question 9 [1] 70/17</p> <p>Question Number 5 [1] 57/2</p> <p>questions [13] 49/10 54/18 55/6 55/21 57/1 68/3 70/13 70/17 76/24 80/17 80/18 81/1 81/18</p> <p>Quickly [1] 22/6</p> <p>Quite [1] 39/14</p> <p>quiz [1] 104/16</p> <p>quote [8] 26/3 27/25 28/13 28/18 29/13 45/15 46/12 47/2</p> <p>R</p> <p>raise [2] 58/15 61/23</p> <p>raised [2] 55/20 56/22</p> <p>raising [1] 61/5</p> <p>RAMON [1] 2/4</p> <p>RAV [1] 14/22</p> <p>reach [6] 59/18 60/10 60/10 98/3 98/9 98/16</p> <p>reached [2] 101/7 104/11</p> <p>reaching [1] 76/13</p> <p>reaction [2] 35/21 36/9</p> <p>reactions [1] 50/17</p> <p>read [17] 46/5 46/9 49/23 49/25 51/2 57/25 66/2 70/19 72/5 72/16 74/9 75/10 99/10 99/21 102/13 103/1 104/8</p> <p>reading [6] 28/1 28/14 29/14 61/25 64/7 67/10</p> <p>reads [1] 66/22</p> <p>ready [1] 104/14</p> <p>real [3] 31/5 45/8 45/10</p> <p>realize [2] 55/1 55/5</p>	<p>really [3] 53/18 56/19 105/7</p> <p>reason [6] 45/8 45/10 73/8 93/4 93/13 96/13</p> <p>reasonable [14] 63/19 66/24 67/16 68/23 69/12 69/16 69/24 83/20 85/5 85/21 85/24 92/3 93/25 97/12</p> <p>reasonableness [1] 79/18</p> <p>reasonably [5] 66/3 83/6 84/24 85/16 95/10</p> <p>rebut [1] 36/12</p> <p>rebuttal [1] 48/9</p> <p>recall [12] 6/19 16/25 17/2 17/6 21/9 21/23 25/24 39/13 42/21 75/8 103/25 105/13</p> <p>recast [1] 89/17</p> <p>receipt [2] 13/18 13/20</p> <p>receive [2] 45/25 102/11</p> <p>received [16] 8/12 8/14 76/7 76/14 77/7 77/13 77/24 78/4 78/5 81/5 81/15 81/16 82/8 95/14 98/17 101/13</p> <p>recess [9] 53/21 54/4 54/5 54/6 72/18 72/19 74/1 74/2 78/16</p> <p>reckless [4] 83/22 86/15 86/18 96/21</p> <p>recognize [2] 15/14 61/7</p> <p>recognizing [1] 68/5</p> <p>record [4] 4/22 37/3 55/20 78/10</p> <p>recorded [2] 20/2 20/4</p> <p>recording [1] 87/16</p> <p>recover [3] 94/23 95/1 95/4</p> <p>recovering [1] 97/1</p> <p>recovery [1] 97/9</p> <p>REDIRECT [3] 3/7 33/24 34/1</p> <p>reduction [2] 95/6 95/8</p> <p>refer [1] 81/21</p> <p>reference [4] 11/23 65/19 99/13 102/18</p> <p>referral [2] 45/20 47/3</p> <p>referring [4] 19/9 20/17 25/24 60/1</p> <p>refers [1] 73/3</p> <p>reflects [2] 66/14 86/20</p> <p>refrain [2] 46/7 82/16</p> <p>regard [2] 8/25 67/21</p> <p>regarding [2] 44/7 75/12</p> <p>regardless [1] 75/25</p> <p>register [2] 88/1 88/6</p> <p>registered [1] 32/20</p>	<p>registers [1] 88/6</p> <p>registration [4] 88/1 88/7 90/23 91/1</p> <p>regret [1] 52/10</p> <p>regular [3] 39/2 40/2 43/12</p> <p>regularly [2] 83/11 83/12</p> <p>regulations [1] 106/8</p> <p>Rehnquist [1] 50/5</p> <p>relate [1] 70/17</p> <p>related [4] 8/17 8/23 53/4 83/9</p> <p>relates [14] 22/19 35/14 36/2 36/10 49/4 50/14 50/21 51/22 53/17 67/24 68/11 68/14 68/15 71/14</p> <p>relating [2] 65/15 70/14</p> <p>relation [1] 94/15</p> <p>relationship [2] 33/15 46/23</p> <p>relevance [6] 22/3 22/19 24/7 24/8 35/9 35/12</p> <p>relevant [2] 35/24 78/18</p> <p>relief [1] 70/14</p> <p>rely [1] 104/4</p> <p>remember [7] 42/22 76/21 79/25 80/1 100/11 101/4 103/16</p> <p>remind [2] 46/3 98/18</p> <p>remove [1] 82/17</p> <p>rendered [1] 85/11</p> <p>Repeat [1] 44/22</p> <p>reported [2] 80/18 106/5</p> <p>REPORTER [1] 1/23</p> <p>REPORTER'S [1] 1/14</p> <p>reports [2] 9/4 102/16</p> <p>represent [2] 33/4 33/6</p> <p>represented [1] 95/13</p> <p>repress [1] 51/15</p> <p>reproduce [1] 89/16</p> <p>reproduces [1] 89/1</p> <p>reproducing [1] 87/10</p> <p>request [8] 28/7 28/10 30/25 39/8 45/2 78/24 78/25 81/15</p> <p>requested [6] 30/24 31/3 39/2 39/6 44/6 45/1</p> <p>requesting [1] 73/9</p> <p>require [2] 100/16 103/21</p> <p>required [3] 83/1 86/6 95/10</p> <p>requirements [1] 88/5</p> <p>requires [1] 81/22</p> <p>research [7] 48/19 99/12 99/18 100/3 102/17 102/23 103/9</p> <p>resembles [1] 87/21</p> <p>reserved [2] 70/1 70/5</p> <p>resided [1] 83/12</p>
--	--	---	--	---

R	89/16 103/5	section [25] 61/20 63/5	shall [7] 4/17 4/18	six [5] 27/3 46/19
residence [1] 50/8	rise [6] 48/22 54/5	67/24 84/7 106/3	36/23 36/24 82/2 83/1	46/23 61/20 83/11
resides [1] 83/11	72/18 74/1 104/25	Section 527.6 [1] 84/7	98/2	sixth [1] 63/9
resources [1] 22/18	105/19	security [4] 41/24	share [2] 38/7 56/23	slash [1] 55/11
respect [15] 49/7	risk [2] 61/11 86/22	42/1 42/7 42/9	shelter [1] 42/7	slight [1] 62/9
49/17 49/20 51/17	RODRIC [12] 1/5 14/3	see [20] 9/5 11/23	sheriff's [2] 17/10	slightly [1] 65/6
51/21 54/22 56/19	14/23 14/24 23/13	11/25 18/4 23/22	20/17	smiling [1] 19/23
57/14 57/19 57/21	23/14 28/14 39/7	32/18 41/10 41/19	shoo [1] 17/21	Snapshot [2] 99/3
57/22 58/16 58/17	45/20 75/17 82/21	41/20 42/6 43/17	shooed [3] 20/19	101/24
59/17 70/13	85/12	48/21 57/22 59/6	32/15 32/16	social [2] 99/4 101/25
respond [2] 99/8	Rodric David [6]	59/23 72/15 79/10	short [3] 64/9 66/13	sold [1] 27/3
102/9	23/13 39/7 45/20	79/25 104/23 105/17	84/11	sole [2] 81/24 82/6
responded [1] 44/16	75/17 82/21 85/12	seeing [1] 19/13	shout [1] 42/23	solely [3] 24/9 75/8
response [3] 15/7	room [14] 1/24 6/4	seek [2] 82/5 95/17	show [6] 15/6 18/15	77/13
15/19 81/1	7/17 75/1 81/8 81/10	seeking [1] 29/22	40/16 81/11 88/22	solemnly [2] 4/16
responsible [3] 27/11	81/24 82/2 82/7 82/18	seeks [2] 87/5 95/19	91/18	36/22
52/2 53/6	99/1 101/23 104/3	seem [3] 40/6 43/19	showed [4] 17/15	somehow [1] 60/20
rest [3] 48/6 72/25	104/8	67/21	17/16 18/5 32/7	someone [2] 41/22
80/10	roughly [1] 21/9	seemed [1] 33/13	shows [1] 13/22	51/6
restate [1] 68/21	route [1] 61/8	seems [7] 22/23 29/25	sic [1] 58/23	someone's [1] 52/7
restraining [1] 84/5	routine [1] 43/15	35/24 51/3 59/3 67/19	side [14] 33/18 39/11	something [8] 21/24
restrictions [2]	rude [1] 32/24	68/4	51/25 52/3 52/4 54/3	42/21 50/13 56/15
100/14 103/19	Rule [1] 49/17	seen [5] 9/10 15/23	55/2 55/2 71/23 71/25	60/23 79/21 79/22
result [7] 66/2 83/4	Rule 50 [1] 49/17	29/14 35/18 77/11	78/1 80/25 105/6	80/5
87/23 94/24 95/4	rules [10] 77/1 77/23	segment [1] 11/8	105/9	sometimes [4] 5/18
100/16 103/21	78/1 78/20 99/23	self [1] 5/16	sidebar [5] 22/5 22/7	78/9 79/21 79/22
results [1] 25/4	100/12 100/13 103/4	self-employed [1]	34/25 35/3 35/4	somewhat [1] 52/24
return [3] 27/8 102/13	103/17 103/18	5/16	sides [2] 50/18 53/15	soon [2] 99/23 103/3
104/14	ruling [1] 77/3	seller [1] 95/10	sidewalk [4] 39/4 40/3	sorry [14] 12/21 23/24
revenge [1] 47/5	run [1] 61/11	send [9] 9/13 12/4	40/5 40/14	26/11 29/17 31/13
review [1] 54/11	running [1] 46/14	26/4 27/24 45/14	sign [3] 42/6 51/25	33/3 38/10 44/22
reviewed [1] 58/22	S	45/19 81/19 100/20	104/13	51/17 58/4 58/25 67/1
revise [1] 65/14	S.Ct [1] 50/4	101/1	signage [1] 27/11	90/18 92/14
revision [4] 62/10	safe [2] 7/6 28/15	sending [2] 9/17	signed [5] 12/6 12/14	sort [2] 36/10 41/16
65/4 65/16 65/24	safety [16] 40/1 43/20	81/16	81/19 100/21 100/23	sound [1] 87/16
revoked [2] 66/5	63/20 66/3 68/23	sense [3] 49/9 57/7	significant [1] 46/20	sounds [2] 6/3 56/14
66/18	69/12 69/16 69/24	60/15	signs [3] 14/17 40/8	space [2] 41/17 91/10
rewrite [1] 62/19	83/7 83/7 83/21 83/21	sent [6] 9/3 11/14	40/15	speak [5] 6/1 22/12
right [90] 4/6 4/12 6/4	83/22 84/24 84/25	12/9 12/25 46/19	similar [4] 18/5 55/2	42/19 48/12 59/10
9/8 10/16 11/12 15/10	86/20	74/25	86/8 92/6	speaking [1] 32/17
19/2 23/1 23/7 23/19	sales [2] 27/8 38/13	sentence [2] 64/14	similarities [2] 88/24	special [5] 54/9 54/9
24/11 24/19 24/23	same [7] 10/18 20/20	68/17	91/21	54/23 54/24 70/13
25/8 25/15 25/25	28/12 43/10 79/25	separate [1] 63/25	similarity [2] 87/22	specific [3] 38/7 85/2
27/22 29/21 30/25	80/21 81/3	separately [1] 76/2	92/6	87/13
31/14 32/1 32/14 33/7	SAN [1] 2/4	series [3] 64/8 66/12	simply [3] 62/18 98/14	specifically [2] 36/2
34/11 34/22 35/1	Santillan [1] 50/11	84/11	98/16	68/15
36/13 37/11 38/2 42/5	satisfied [1] 88/5	seriously [2] 67/12	since [4] 46/10 66/5	specified [1] 83/19
43/2 43/5 45/5 46/7	saying [3] 42/22 52/20	85/2	66/18 72/2	speculation [1] 86/4
47/2 47/19 47/22 48/2	68/5	serve [2] 74/21 98/1	since-revoked [1]	speech [1] 51/15
48/6 48/11 49/1 49/19	scenario [2] 52/13	served [3] 5/7 15/20	66/5	spell [2] 4/22 37/2
51/20 53/10 53/14	68/6	37/11	single [1] 60/3	spelled [1] 55/6
54/3 54/7 54/16 54/20	scene [3] 19/4 20/11	serves [2] 67/14 85/4	sir [42] 5/8 5/12 5/13	spells [1] 9/17
55/9 57/6 57/16 58/7	40/25	service [6] 9/14 10/15	7/12 8/22 8/24 9/11	spend [1] 44/18
58/14 58/19 60/10	scope [2] 91/6 91/7	11/7 25/9 99/7 102/8	11/2 11/3 11/17 12/16	spent [2] 46/20 46/23
60/10 61/4 62/3 62/8	screen [1] 40/22	services [4] 5/17 7/7	13/15 13/21 13/23	spite [1] 86/17
62/25 65/2 65/25 66/6	screw [2] 28/16 28/23	13/19 26/25	14/5 14/20 15/15	spoke [3] 18/7 33/12
70/15 70/24 72/13	sculptural [1] 87/15	serving [1] 91/11	15/21 16/12 19/6	43/23
72/17 72/20 73/14	search [2] 99/17	session [2] 1/18	19/17 20/14 20/16	spoken [2] 7/15 25/14
73/19 73/20 73/25	102/22	77/12	20/19 20/22 21/6	spokesperson [1]
74/5 74/20 87/10	searching [3] 50/8	SETH [4] 2/3 2/3 8/14	21/13 23/18 23/21	98/2
89/12 89/15 89/16	99/13 102/18	23/11	24/1 24/4 25/11 27/23	spouse [1] 83/9
90/1 91/14 92/17	seated [5] 4/21 48/23	Seth Wiener [2] 8/14	30/2 30/18 31/8 31/13	stalking [11] 36/2
92/21 96/22 98/14	53/20 102/6 105/3	23/11	34/14 37/20 40/23	53/18 58/18 60/7 65/1
99/24 105/4 105/15	second [5] 49/15 63/7	setting [1] 73/3	44/23 48/1	65/4 68/12 70/14
105/16	64/13 83/10 101/12	several [2] 19/17	site [1] 52/2	75/18 82/20 85/13
rightfully [1] 36/10	secondly [1] 64/16	23/17	sitting [1] 25/25	stand [1] 81/4
rights [7] 86/16 86/19	secrets [1] 36/4	severity [1] 87/1	situation [2] 46/19	standards [1] 40/3
86/21 86/22 86/25		shake [1] 40/12	61/19	standing [3] 14/7

<p>S</p> <p>standing... [2] 19/21 39/4</p> <p>stands [1] 101/5</p> <p>start [5] 49/2 71/22 100/17 103/22 105/7</p> <p>started [3] 10/4 28/2 104/21</p> <p>starting [2] 70/17 73/1</p> <p>state [6] 4/22 6/9 31/9 36/4 37/2 49/17</p> <p>stated [3] 10/1 76/2 76/22</p> <p>statement [4] 24/2 24/5 44/12 68/22</p> <p>statements [3] 76/17 76/19 84/21</p> <p>states [5] 1/1 51/5 91/15 106/4 106/8</p> <p>stating [1] 27/25</p> <p>statute [25] 51/11 51/12 51/13 57/23 58/22 59/1 59/16 60/9 62/11 62/15 62/18 62/20 63/2 63/6 63/12 63/17 64/4 64/5 65/5 65/14 65/22 96/23 97/7 97/8 97/19</p> <p>statutes [2] 58/22 96/25</p> <p>statutory [5] 62/1 63/13 95/18 95/19 95/24</p> <p>stay [3] 42/9 44/6 44/8</p> <p>stayed [1] 40/5</p> <p>staying [2] 28/15 104/22</p> <p>stenographically [1] 106/5</p> <p>step [2] 34/14 48/1</p> <p>steps [1] 82/10</p> <p>STEVEN [1] 2/7</p> <p>stickers [1] 28/3</p> <p>stood [2] 40/3 40/13</p> <p>stop [5] 22/17 39/2 43/8 63/4 89/23</p> <p>strange [1] 45/2</p> <p>street [3] 1/24 14/7 14/16</p> <p>stretch [1] 51/24</p> <p>stricken [6] 44/11 73/4 73/10 77/4 78/9 78/12</p> <p>strike [1] 25/2</p> <p>strikes [1] 50/9</p> <p>strive [1] 98/3</p> <p>strong [1] 68/11</p> <p>structure [1] 42/5</p> <p>studio [13] 15/17 16/10 17/3 17/4 17/18 17/24 35/22 38/20 38/24 40/4 40/14 41/13 41/22</p> <p>studios [31] 1/5 14/9 16/21 17/9 17/13 17/14 20/13 23/12 31/24 32/11 32/15 35/7 35/20 36/4 38/5</p>	<p>38/16 39/5 40/11 41/2 41/7 45/14 46/4 46/8 47/11 58/10 87/4 88/8 97/5 97/13 97/16 97/21</p> <p>Studios's [2] 39/16 96/24</p> <p>Studios, [1] 75/16</p> <p>stuff [4] 8/9 11/10 15/21 32/10</p> <p>subcontracted [1] 16/3</p> <p>Subdivision [1] 84/8</p> <p>subject [3] 35/7 48/20 88/4</p> <p>submit [1] 62/18</p> <p>submitted [7] 48/17 55/20 58/17 73/7 80/24 81/2 104/19</p> <p>subparagraph [3] 63/17 63/18 83/8</p> <p>subpoena [6] 5/6 8/12 8/14 15/7 15/20 37/11</p> <p>subsection [1] 63/25</p> <p>subsequent [1] 10/5</p> <p>subsequently [1] 26/24</p> <p>substantial [11] 67/16 67/18 83/14 83/16 85/6 85/7 88/18 88/19 88/24 91/21 92/6</p> <p>substantiality [1] 94/14</p> <p>substantially [2] 91/9 92/5</p> <p>subsumed [2] 63/17 68/21</p> <p>such [13] 67/15 77/15 82/14 82/15 82/17 82/19 85/5 86/12 87/1 90/3 94/2 99/12 102/17</p> <p>suffer [2] 67/16 85/5</p> <p>suffered [3] 83/14 94/24 95/4</p> <p>suffering [1] 85/23</p> <p>sufficient [1] 91/2</p> <p>suggest [1] 85/10</p> <p>suggesting [1] 56/2</p> <p>suggests [1] 71/7</p> <p>suit [4] 97/3 97/4 97/10 97/13</p> <p>SUITE [2] 2/8 2/13</p> <p>summary [1] 75/15</p> <p>supervise [2] 89/13 92/18</p> <p>supplies [1] 81/17</p> <p>support [1] 83/2</p> <p>supported [1] 53/2</p> <p>suppose [1] 57/9</p> <p>supposed [3] 50/23 56/16 56/24</p> <p>Supreme [1] 50/1</p> <p>sure [9] 7/5 16/22 16/25 24/18 32/7 56/23 57/25 63/24 64/3</p> <p>surrounding [1] 50/16</p>	<p>surveillance [13] 6/21 6/23 6/25 7/2 8/7 15/17 23/14 24/10 24/14 32/6 63/9 64/2 82/25</p> <p>surveils [1] 84/19</p> <p>suspect [1] 27/23</p> <p>sustained [5] 21/16 23/2 24/12 78/4 78/6</p> <p>Swart [2] 31/19 31/21</p> <p>swear [2] 4/16 36/22</p> <p>sworn [4] 4/14 36/20 76/6 80/15</p> <p>sympathy [1] 75/7</p> <p>system [1] 90/3</p> <p>systems [1] 87/18</p> <p>SYVERSON [1] 2/7</p> <p>T</p> <p>t's [1] 57/14</p> <p>tabs [1] 9/8</p> <p>tag [1] 64/22</p> <p>tag-team [1] 64/22</p> <p>take [18] 39/3 39/3 39/13 43/9 47/5 48/12 48/14 51/19 53/21 54/4 72/4 73/19 79/8 99/25 101/2 103/7 104/2 104/17</p> <p>taken [12] 54/6 61/6 62/17 62/19 63/12 63/12 72/19 74/2 80/16 82/10 100/11 103/16</p> <p>takes [3] 35/10 51/8 71/24</p> <p>taking [4] 19/22 35/18 43/5 87/2</p> <p>talk [4] 32/25 48/18 48/19 78/14</p> <p>talked [2] 17/18 18/6</p> <p>talking [6] 12/22 33/1 35/25 50/7 50/22 60/2</p> <p>talks [1] 63/18</p> <p>tangible [1] 87/25</p> <p>target [1] 84/24</p> <p>TAYLOR [18] 2/11 2/12 3/6 3/7 3/8 4/8 34/17 36/7 47/20 48/2 49/16 50/25 54/16 69/2 70/11 72/2 73/12 73/23</p> <p>team [1] 64/22</p> <p>technical [3] 81/22 82/1 82/4</p> <p>technician [4] 81/11 81/23 82/1 82/3</p> <p>technicians [1] 82/10</p> <p>telling [3] 44/20 44/24 45/15</p> <p>ten [3] 39/18 53/21 59/16</p> <p>ten-minute [1] 53/21</p> <p>tend [1] 69/1</p> <p>term [6] 34/5 59/19 59/20 60/17 89/3 90/6</p> <p>terms [13] 59/16 61/21 63/6 65/11</p>	<p>65/22 67/2 67/7 67/23 68/13 70/20 80/23 87/8 101/6</p> <p>terrorizes [2] 67/13 85/3</p> <p>tested [4] 100/2 100/6 103/8 103/12</p> <p>testified [5] 4/15 36/21 79/10 80/5 80/8</p> <p>testify [10] 22/9 36/3 36/4 36/8 44/19 44/21 44/25 45/1 80/12 80/22</p> <p>testifying [1] 79/12</p> <p>testimony [26] 4/17 10/8 25/12 26/6 35/9 35/10 36/23 47/6 55/3 76/6 76/14 77/4 77/15 79/4 79/4 79/7 79/17 79/18 80/2 80/3 80/14 80/15 80/20 80/21 100/2 103/8</p> <p>text [6] 62/22 62/23 63/1 63/2 99/1 101/22</p> <p>Thank [30] 4/9 4/12 4/21 4/25 5/2 15/11 18/20 18/24 33/23 34/3 34/14 34/16 34/19 36/13 36/14 36/15 36/16 37/6 48/1 48/21 53/12 54/4 54/22 57/15 62/7 66/6 71/16 72/17 73/25 104/22</p> <p>Thanks [1] 25/22</p> <p>theirs [1] 52/6</p> <p>them [26] 17/18 19/20 27/13 32/2 32/13 33/12 39/20 39/21 40/10 45/15 47/12 48/14 53/25 56/16 70/25 71/1 71/10 72/14 72/16 73/17 76/15 76/16 76/21 76/22 76/23 81/7</p> <p>theme [1] 22/23</p> <p>themselves [1] 87/19</p> <p>theory [4] 52/7 52/18 52/20 53/2</p> <p>there's [5] 41/17 53/16 58/23 59/1 63/15</p> <p>therefore [3] 52/1 52/16 69/18</p> <p>thing [7] 8/11 11/9 18/22 20/10 40/5 69/6 69/6</p> <p>things [9] 6/21 7/6 32/9 33/13 44/19 76/15 79/10 79/24 80/8</p> <p>think [56] 14/7 18/7 18/17 27/18 28/25 29/1 31/4 31/4 36/3 49/8 49/9 50/2 50/4 50/13 50/22 51/24 52/21 52/22 53/15 53/16 54/18 55/15</p>	<p>56/14 57/9 58/1 58/12 58/13 59/2 59/14 59/18 60/4 60/5 60/14 60/14 60/15 61/4 61/5 64/5 64/14 66/4 66/10 67/2 67/25 68/9 70/23 70/24 70/25 71/2 71/9 71/15 73/1 80/7 80/9 80/14 98/14 105/8</p> <p>thinking [5] 55/13 61/24 70/19 70/21 71/1</p> <p>thinks [1] 78/1</p> <p>third [2] 63/8 84/17</p> <p>thought [4] 10/21 10/23 61/2 105/11</p> <p>thoughts [1] 26/4</p> <p>threat [25] 50/15 61/10 63/8 63/19 63/20 64/16 65/11 65/21 65/23 66/19 66/23 67/22 68/2 68/13 68/22 69/11 69/15 69/23 70/10 83/19 84/13 84/14 84/15 84/23 84/24</p> <p>threatened [1] 22/11</p> <p>threatening [1] 40/6</p> <p>threatens [1] 84/19</p> <p>threats [2] 15/4 50/22</p> <p>three [4] 39/23 68/4 97/8 97/10</p> <p>throughout [2] 87/9 101/9</p> <p>throw [1] 55/25</p> <p>throwing [1] 61/12</p> <p>THUNDER [31] 1/5 14/9 16/21 17/9 20/13 23/12 31/24 32/15 35/7 35/20 36/4 38/5 38/16 39/5 39/16 40/11 41/2 41/7 45/14 46/4 46/8 47/11 58/10 75/16 87/4 88/8 96/24 97/5 97/13 97/16 97/21</p> <p>Thunder Studios [22] 14/9 16/21 17/9 20/13 23/12 31/24 32/15 35/20 36/4 38/5 38/16 39/5 40/11 41/2 45/14 46/4 46/8 47/11 87/4 97/5 97/13 97/16</p> <p>Thunder Studios's [2] 39/16 96/24</p> <p>Thunder Studios, Inc [1] 75/16</p> <p>Thus [1] 101/17</p> <p>till [2] 105/5 105/17</p> <p>title [3] 38/7 38/8 106/4</p> <p>today [9] 5/6 5/10 35/9 37/10 37/15 47/6 49/22 72/8 72/12</p> <p>together [2] 5/11 52/19</p> <p>told [5] 17/20 22/11 22/16 29/11 80/8</p>
---	---	--	---	---

<p>T</p> <p>tomorrow [12] 71/20 71/21 72/16 73/18 74/12 74/13 74/17 104/15 104/18 104/20 104/24 105/17</p> <p>TONY [15] 1/8 7/16 10/9 11/24 12/5 12/5 12/12 12/14 25/5 25/10 25/13 26/1 26/4 26/7 28/5</p> <p>Tony Kazal [8] 7/16 10/9 12/12 12/14 25/5 25/10 25/13 26/7</p> <p>Tony Kazal/Jamie [1] 11/24</p> <p>Tony's [1] 28/8</p> <p>too [2] 38/1 39/14</p> <p>took [6] 11/6 23/20 39/10 75/9 104/1 104/4</p> <p>top [2] 16/25 55/4</p> <p>torments [2] 67/13 85/3</p> <p>tort [2] 82/20 82/22</p> <p>total [2] 24/14 24/18</p> <p>touch [2] 39/21 44/3</p> <p>touching [2] 99/22 103/2</p> <p>toward [1] 46/18</p> <p>town [1] 8/5</p> <p>toxic [1] 45/16</p> <p>trading [1] 59/14</p> <p>transcript [4] 1/14 104/1 106/5 106/7</p> <p>transform [1] 89/17</p> <p>treated [2] 46/21 78/20</p> <p>trial [31] 1/18 3/13 13/10 22/23 30/14 73/1 74/7 77/13 78/13 80/16 81/1 87/9 89/21 99/6 99/18 100/2 100/6 100/8 100/11 100/16 101/9 102/4 102/7 102/23 103/8 103/12 103/13 103/16 103/21 104/1 104/2</p> <p>tries [1] 44/7</p> <p>true [8] 52/25 63/20 75/23 75/23 80/9 88/15 88/16 106/4</p> <p>truth [10] 4/18 4/18 4/19 36/24 36/24 36/25 80/8 80/17 100/1 103/7</p> <p>truthfully [1] 80/8</p> <p>try [5] 22/25 60/19 71/18 99/14 102/19</p> <p>trying [7] 32/12 36/1 40/10 40/12 53/1 53/8 59/7</p> <p>turn [9] 9/7 10/18 12/16 23/19 25/8 25/15 30/1 99/22 103/2</p> <p>tutorial [1] 56/9</p> <p>Twenty [1] 30/13</p>	<p>Twenty-nine [1] 30/13</p> <p>twice [1] 57/25</p> <p>Twitter [2] 99/3 101/24</p> <p>two [9] 14/4 17/16 29/24 50/1 52/13 55/15 67/7 79/25 87/22</p> <p>typical [1] 10/13</p> <p>typically [2] 9/13 31/16</p> <p>U</p> <p>Uh [4] 5/23 6/24 13/13 13/21</p> <p>Uh-huh [4] 5/23 6/24 13/13 13/21</p> <p>ultimate [1] 53/20</p> <p>ultimately [1] 24/20</p> <p>unanimous [4] 98/4 98/9 101/7 104/11</p> <p>unauthorized [1] 95/14</p> <p>under [15] 39/15 60/9 63/9 64/2 70/1 77/1 78/20 80/16 81/1 81/2 82/25 86/19 86/23 93/25 97/12</p> <p>undercover [1] 7/3</p> <p>underlying [1] 90/2</p> <p>underneath [1] 9/16</p> <p>understand [20] 23/18 24/19 26/17 28/22 29/17 29/23 31/8 31/13 31/23 33/8 34/21 44/20 56/18 56/24 57/10 69/25 70/23 72/20 78/17 87/7</p> <p>understanding [9] 12/2 21/3 28/19 29/21 29/23 33/17 33/19 34/7 70/4</p> <p>understood [3] 24/21 44/23 70/22</p> <p>uneventful [1] 32/13</p> <p>Unfortunately [1] 74/11</p> <p>unidentified [1] 17/17</p> <p>UNITED [4] 1/1 51/5 106/4 106/8</p> <p>unless [3] 76/2 84/2 101/17</p> <p>unlimited [1] 22/17</p> <p>unnecessary [1] 86/25</p> <p>unprofessionally [1] 46/21</p> <p>unreasonable [1] 67/25</p> <p>unrelated [1] 62/6</p> <p>unsafe [1] 84/4</p> <p>until [8] 30/23 48/17 99/20 101/6 101/10 101/17 102/1 102/25</p> <p>untrue [1] 80/2</p> <p>untruthfully [1] 80/5</p> <p>unwieldy [2] 60/4</p>	<p>unwilling [1] 98/11</p> <p>up [17] 6/1 6/3 14/16 17/15 17/16 17/19 18/5 22/23 28/3 28/21 32/8 32/18 32/21 40/8 40/14 50/3 105/6 87/22</p> <p>upon [4] 44/24 86/3 86/4 94/16</p> <p>upset [2] 36/1 46/24</p> <p>Urquidez [1] 50/4</p> <p>us [9] 9/12 9/18 18/6 18/7 19/24 24/21 38/7 71/15 74/13</p> <p>USA [1] 28/16</p> <p>usage [1] 55/11</p> <p>use [20] 55/7 72/11 82/9 88/17 88/19 93/24 94/2 94/2 94/2 94/4 94/5 94/8 94/10 94/11 94/16 94/19 95/11 95/14 99/16 102/21</p> <p>used [4] 26/18 26/21 34/5 94/15</p> <p>uses [1] 55/5</p> <p>using [5] 6/21 90/2 97/6 99/13 102/18</p> <p>usual [1] 43/18</p> <p>Usually [1] 41/25</p> <p>V</p> <p>vacuum [1] 52/24</p> <p>valid [4] 90/10 90/18 90/19 91/3</p> <p>value [3] 94/17 95/7 95/8</p> <p>van [26] 6/21 7/1 8/10 14/18 14/18 14/21 14/22 17/12 19/9 20/20 26/17 26/22 27/2 27/5 27/7 27/10 27/11 27/14 27/15 31/6 31/10 31/12 32/5 32/7 32/18 32/20</p> <p>verbal [2] 84/13 84/21</p> <p>verbally [1] 30/20</p> <p>verbatim [4] 60/13 62/22 62/23 63/13</p> <p>verbiage [2] 69/10 70/8</p> <p>verdict [36] 49/5 49/7 54/1 54/9 54/9 54/14 54/23 54/24 55/1 56/9 56/12 56/17 62/10 70/13 75/12 76/13 79/2 85/10 90/14 90/16 92/23 93/1 93/20 93/23 98/4 98/9 98/16 98/17 100/5 101/7 101/10 102/13 103/11 104/10 104/11 104/12</p> <p>verdicts [1] 94/20</p> <p>Verdugo [1] 50/4</p> <p>Verdugo-Urquidez [1] 50/4</p> <p>version [1] 59/7</p>	<p>via [3] 98/25 98/25 101/22</p> <p>vicariously [2] 89/5 92/10</p> <p>Victor [3] 9/15 12/3 25/20</p> <p>Victor Fuentes [2] 9/15 25/20</p> <p>video [18] 14/8 15/6 15/14 15/17 16/8 16/19 18/15 18/21 19/21 20/2 23/21 35/17 35/18 39/17 40/16 42/10 43/5 43/9</p> <p>videographer [2] 20/5 20/5</p> <p>videos [3] 9/4 16/24 39/3</p> <p>videotaped [1] 32/8</p> <p>videotaping [1] 32/12</p> <p>view [9] 81/7 81/12 81/21 82/8 92/3 99/15 99/17 102/20 102/22</p> <p>viewing [1] 82/17</p> <p>views [1] 98/8</p> <p>violate [1] 86/22</p> <p>violated [1] 84/5</p> <p>violates [3] 86/24 100/14 103/19</p> <p>violations [1] 95/23</p> <p>visit [3] 41/22 99/15 102/20</p> <p>visiting [1] 21/14</p> <p>visual [1] 87/16</p> <p>vote [1] 101/6</p> <p>W</p> <p>W-o-o-d-w-a-r-d [1] 4/24</p> <p>waiting [2] 78/17 101/3</p> <p>walked [2] 7/17 17/19</p> <p>walking [3] 14/16 19/25 41/25</p> <p>wanted [6] 22/16 28/20 28/23 31/6 31/10 58/15</p> <p>wants [1] 32/25</p> <p>waste [1] 22/24</p> <p>watch [2] 99/10 102/13</p> <p>watching [2] 7/3 23/16</p> <p>weakness [1] 87/2</p> <p>Website [10] 38/12 51/25 52/16 52/24 53/5 53/8 58/12 82/12 97/18 99/1</p> <p>weekends [1] 38/22</p> <p>weeks [1] 21/11</p> <p>weight [5] 77/20 77/22 80/11 80/14 98/15</p> <p>went [11] 17/23 32/18 32/21 32/24 33/1 36/9 39/10 43/11 43/12 43/16 43/18</p> <p>WEST [1] 1/24</p>	<p>WESTERN [1] 1/2</p> <p>when -- I [1] 60/18</p> <p>whole [7] 4/18 18/22 20/10 36/24 69/6 88/21 94/15</p> <p>why [16] 12/2 12/3 12/6 23/22 28/10 28/20 29/21 31/3 33/20 35/1 47/16 48/12 53/21 60/24 61/2 73/8</p> <p>WIENER [17] 2/3 2/3 3/6 3/9 8/14 8/14 8/16 15/19 23/11 34/12 50/12 54/12 62/5 68/14 69/6 72/10 105/10</p> <p>wife [2] 23/15 23/16</p> <p>willfully [1] 96/5</p> <p>willful [8] 55/8 56/22 67/11 85/1 96/4 96/8 96/15 96/22</p> <p>willful/ignorance [1] 55/8</p> <p>willfully [1] 57/3</p> <p>willing [2] 95/9 95/10</p> <p>WILSHIRE [1] 2/8</p> <p>wish [3] 48/8 49/17 68/14</p> <p>wishes [1] 105/6</p> <p>without [5] 51/9 59/19 89/3 90/6 93/25</p> <p>witness [23] 4/8 22/22 34/18 35/2 35/14 35/23 36/12 47/22 48/3 76/6 77/16 77/16 79/5 79/7 79/9 79/21 80/4 80/7 80/7 80/15 80/16 80/21 81/4</p> <p>witness's [6] 79/11 79/12 79/13 79/15 79/17 79/18</p> <p>witnesses [12] 3/4 36/10 48/4 48/9 76/18 79/23 80/12 80/13 99/20 99/25 102/25 103/6</p> <p>woman [1] 17/17</p> <p>wonder [1] 59/3</p> <p>wonderful [1] 53/19</p> <p>Woodward [6] 4/10 4/13 4/23 5/5 23/11 34/3</p> <p>word [1] 51/14</p> <p>worded [1] 57/7</p> <p>wording [1] 55/11</p> <p>words [6] 52/4 65/22 66/12 68/7 97/20 101/8</p> <p>work [80] 5/15 6/16 11/8 12/24 16/9 30/23 38/19 39/2 72/13 87/12 87/13 87/14 87/14 87/14 87/15 87/15 87/15 87/16 87/16 87/17 87/20 87/21 87/24 87/24 88/2 88/6 88/13 88/16</p>
--	--	--	--	---

<p>W</p> <p>work... [52] 88/18 88/19 88/21 88/22 88/23 88/25 88/25 89/3 89/18 89/19 89/20 89/22 89/23 89/24 90/3 90/6 90/12 90/21 90/22 91/5 91/5 91/7 91/8 91/12 91/13 91/18 91/19 91/20 91/22 91/23 92/1 92/2 92/3 92/4 92/5 92/5 93/24 94/4 94/6 94/8 94/13 94/15 94/17 94/20 95/7 95/9 95/12 95/15 95/20 95/25 96/2 96/4</p> <p>workable [1] 65/7 workday [2] 43/13 43/18</p> <p>worked [5] 5/11 6/5 6/14 37/22 38/10</p> <p>working [7] 10/2 10/3 17/7 30/16 49/7 74/8 78/17</p> <p>works [7] 9/16 87/12 87/21 87/22 89/2 89/17 89/18</p> <p>works' [1] 92/7 worried [1] 67/3 worth [1] 39/18 wrap [3] 27/12 28/3 28/9</p> <p>wraps [1] 27/12 write [4] 28/12 29/12 29/13 52/4</p> <p>writing [6] 53/5 80/25 98/25 100/23 100/24 101/21</p> <p>written [5] 14/21 30/20 80/24 84/13 84/21</p> <p>wrong [2] 12/22 105/8</p>		#3257		
<p>Y</p> <p>year [1] 27/3 years [7] 6/8 6/15 37/23 38/3 38/17 97/8 97/10</p> <p>yell [1] 42/23 yelled [1] 19/24 Yep [1] 41/9</p> <p>your Honor [43] 13/5 13/8 15/8 22/4 23/6 23/8 24/8 30/8 30/12 34/10 34/16 34/19 34/23 40/19 44/10 45/4 47/7 47/18 47/21 47/25 48/10 51/1 51/18 52/25 53/2 53/9 53/12 54/13 54/17 56/18 61/15 62/7 62/9 64/24 68/20 69/5 70/12 71/16 72/11 72/22 73/11 73/13 73/22</p> <p>YouTube [2] 99/3 101/24</p>				